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ABSTRACT

This guide and coordinator's manual are designed to assist administrators of local agencies, area vocational centers, and postsecondary institutions in Michigan in assessing and improving their compliance with civil rights regulations relating to vocational education. The guide is based on an interpretation of the following laws: Title VI of the Civil Rights Act 1964, Title IX of the Education Amendments 1972, Section 504 of the Rehabilitation Act 1973, Title II of the Americans with Disabilities Act 1990, the Age Discrimination Act 1975, and the 1979 Guidelines for Eliminating Discrimination and Denial of Services on the Basis of Race, Color, National Origin, Sex and Handicap. The 13 sections of the guide cover the following: (1) assurances; (2) policies; (3) designated coordinators; (4) notice of nondiscrimination; (5) public notification of vocational opportunities; (6) grievance procedures; (7) self-evaluations for Title IX Section 504 and Title II; (8) transition plans for Section 504 and Title II; (9) assistance to persons with disabilities; (10) assistance to persons with limited English proficiency; (11) counseling; (12) affirmative action to increase minority enrollees; and (13) work study, cooperative education, job placement, and apprentice training. The coordinator's manual has the following sections: overview of Michigan's compliance program, civil rights legislation, agency-level review, technical assistance activities, onsite review process, onsite agenda, documentation review, onsite review report, and comment form. (KC)

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Technical Assistance Guide

for

Civil Rights Compliance

ED 408 480

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In Vocational Education

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INTRODUCTION

This Guide provides background information and technical assistance for voluntary compliance with Civil Rights regulations as they relate to vocational education. The Guide is designed to assist personnel of local agencies, area vocational centers and postsecondary institutions in assessing compliance needs, in modifying policies and practices for compliance, and in planning for remediation.

The ideas and materials presented here are based on an interpretation of Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans Disabilities Act of 1990, the Age Discrimination Act of 1975, and the *Guidelines for Eliminating Discrimination and Denial of Services on the Basis of Race, Color, National Origin, Sex and Handicap of 1979*. The suggestions in this guide are intended to be used in conjunction with, as opposed to a substitution for, resources already available on creative approaches to compliance.

With the primary goal of improving the delivery of vocational education in Michigan, it is hoped that you will use and adopt what has been developed to meet the specific needs of your individual situations for the maximum possible benefit.

If you should need any further assistance, please contact:

Office of Career and Technical Education
Michigan Department of Education
P.O. Box 30009
Lansing, Michigan 48909
(517) 373-3388

SECTION A
ASSURANCES

ASSURANCES

The Office of Career and Technical Education (OCTE), Office for Civil Rights (OCR) enforces several statutes that protect the rights of beneficiaries in programs or activities that offer approved vocational education programs and receive any Federal financial assistance. These laws prohibit discrimination on the basis of race, color, and national origin (Title VI of the Civil Rights Act of 1964), sex (Title IX of the Education Amendments of 1972), disability (Section 504 of the Rehabilitation Act of 1973, Title II of the American's with Disabilities Act of 1990), and age (Age Discrimination Act of 1975).

Title VI, Title IX, Section 504, and the Age Discrimination Act require recipients receiving Federal financial assistance to file a signed assurance to comply with each regulation. A single, composite assurance form for Title VI, Title IX, Section 504, and the Age Discrimination Act replaces the separate forms previously issued by the U.S. Department of Education. The next page provides a copy of the form, Civil Rights Certificate, for your convenience.

Submit all assurances under the signature of the authorized official for the local agency. Submit assurances for Title IX and Section 504 by sending one copy of the form directly to the U.S. Department of Education at the following address:

Department of Education
Office for Civil Rights/PES
400 Maryland Avenue, S.W.
Switzer Building, Room 5312
Washington, D.C. 20202

Submit an assurance for Title VI by sending a copy of the form directly to the Michigan Department of Education as indicated below. The Michigan Department of Education has been designated to collect and monitor the submission of assurances for Title VI and to maintain a record of those which have been filed.

Office of Career and Technical Education
P.O. Box 30009
Lansing, MI 48909

Keep a copy! Each local agency should have a file copy of each assurance form submitted for purposes of documentation in the event that a compliance review is conducted. This is especially important in the case of Title IX, Section 504, and Age since no record of these assurances is maintained by the Michigan Department of Education.

CIVIL RIGHTS CERTIFICATE

ASSURANCE OF COMPLIANCE WITH TITLE VI OF THE CIVIL RIGHTS ACT OF 1964, SECTION 504 OF THE REHABILITATION ACT OF 1973, TITLE IX OF THE EDUCATION AMENDMENTS OF 1972, AND THE AGE DISCRIMINATION ACT OF 1975

The applicant provides this assurance in consideration of and for the purpose of obtaining Federal grants, loans, contracts (except contracts of insurance or guaranty, property, discounts, or other Federal financial assistance to education programs or activities from the Department of Education.

The applicant assures that it will comply with:

1. Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000d *et seq.*, which prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance.

2. Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. 794, which prohibits discrimination on the basis of disability in programs and activities receiving Federal financial assistance.

3. Title IX of the Education Amendments of 1972, as amended, 20 U.S.C. 1681 *et seq.*, which prohibits discrimination on the basis of sex in education programs and activities receiving Federal financial assistance.

4. The Age Discrimination Act of 1975, as amended, 42 U.S.C. 6101 *et seq.*, which prohibits discrimination on the basis of age in programs or activities receiving Federal financial assistance.

5. All regulations, guidelines, and standards lawfully adopted under the above statutes by the United States Department of Education.

The applicant agrees that compliance with this Assurance constitutes a condition of continued receipt of Federal financial assistance, and that it is binding upon the applicant, its successors, transferees, and assignees for the period during which such assistance is provided. The applicant further assures that all contractors, subcontractors, subgrantees or others with whom it arranges to provide services or benefits to its students or employees in connection with its education programs or activities are not discriminating in violation of the above statutes, regulations, guidelines, and standards against those students or employees. In the event of failure to comply, the applicant understands that assistance can be terminated and the applicant denied the right to receive further assistance. The applicant also understands that the Department of Education may, at its discretion, seek a court order requiring compliance with the terms of the Assurance or seek other appropriate judicial relief.

The person or persons whose signature(s) appear(s) below is/are authorized to sign this application, and to commit the applicant to the above provisions.

_____
Date

_____
Authorized Official(s)

_____
Name of Applicant or Recipient

_____
Agency

_____
Street

_____
City, State, Zip Code

Department of Education
Office for Civil Rights/PES
400 Maryland Avenue, S.W.
Switzer Building, Room 5312
Washington, D.C. 20202

For further information, please contact:
Office for Civil Rights
(202) 205-8635 or 8676

NONDISCRIMINATION POLICY

Title VI, Title IX, Title II, Section 504, and Age specify in their general rules that recipients implement a policy of nondiscrimination. A policy of nondiscrimination should be adopted formally by the policy-making body of the recipient, usually the official Board.

General Rules

- Title VI of the Civil Rights Act of 1964, Section 100.3 (a).

  No person in the US shall, on the ground of race, color or national origin be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination under any program to which this part applies.

- Title IX of the Education Amendments of 1972, Section 106.1 (a)

  Title IX is designed to eliminate discrimination on the basis of sex in any education program or activity receiving Federal financial assistance (FFA)...

- Section 504 of the Rehabilitation Act of 1973, Subpart 104.4

  No qualified person with a handicap shall, ... be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity which receives or benefits from FFA.

- Age Discrimination Act of 1975, Subpart 110.10 (a)

  No person in the US shall, on the basis of age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving FFA.

- Title II of the Americans with Disability Act of 1990 (ADA), Section 35.130

  No qualified individual with a disability shall, on the basis of disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any public entity.

- Agencies will want to include the State of Michigan's Elliott-Larsen Civil Rights Act of 1977, Section 102.(1) which adds religion, height, weight and marital status as bases for nondiscrimination.

  The opportunity to obtain employment, housing and other real estate, and the full and equal utilization of public accommodation, public service, and educational facilities without discrimination because of religion, race, color, national origin, age, sex, height, weight, or marital status as prohibited by this act, is recognized and declared to be a civil right.

Content

While the Board may adopt a separate policy for each regulation, one complete policy that addresses all regulations is acceptable and more efficient. Nondiscrimination policies should be written so that:

1. Specific regulation(s) can be identified or population groups to which the regulation(s) apply are specified.

2. Situations to which the policy applies (such as employment practices, educational programs and activities, or operational procedures) are stated.

EXAMPLE

NONDISCRIMINATION POLICY

In compliance with Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and the Americans with Disability Act of 1990, it is the policy of the Smithville School District that no person shall, on the basis of race, color, religion, national origin or ancestry, sex, age, disability, height, weight, or marital status be excluded from participation in, be denied the benefits of, or be subjected to discrimination during any program or activity or in employment.

SEXUAL HARASSMENT POLICY

Sexual harassment is prohibited under Title IX. Does this regulation require a policy on sexual harassment? No! Is it a good idea to have one? Yes! In fact, in terms of prevention, it makes all the sense in the world. Many people do not realize that sexual harassment complaints would be a Title IX issue. Having a separate policy which defines conditions of sexual harassment and identifies the avenues for complaints would be beneficial to everyone. The following policy example is offered for those who may wish to implement a separate sexual harassment policy.

SEXUAL HARASSMENT POLICY

It is the policy of this district to maintain a learning and working environment that is free from sexual harassment. No board member, staff member or student of this district shall be subjected to any form of sexual harassment or intimidation.

It shall be a violation of this policy for any board member, employee, volunteer, or student to harass any member of the board, staff or student body through conduct or communications of a sexual nature as defined in this policy.

Each administrator shall be responsible for promoting understanding and acceptance of, and assuring compliance with, state and federal laws, and board policy and procedures governing sexual harassment within his/her building or office.

DEFINITION-Sexual harassment means unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

a. submission to such conduct is made either explicitly or implicitly a term or condition of a person's employment or advancement or of a student's participation in school programs or activities; or

b. submission to or rejection of such conduct by a board member, employee, volunteer, or student is used as the basis for decisions affecting the employee, volunteer, or student; or

c. such conduct has the purpose or effect of unreasonable interfering with a board member's, employees's, volunteer's, or student's performance or creating an intimidating, hostile or offensive work or learning environment.

Sexual harassment may include, but is not limited to, the following:

- verbal harassment or abuse;
- pressure for sexual activity;
- repeated remarks with sexual or demeaning implications;
- unwelcome touching;
- sexual jokes, posters, cartoons, etc.;
- suggesting or demanding sexual involvement, accompanied by implied or explicit threats concerning one's grades, safety, job, or performance of duties.

SECTION C
DESIGNATED COORDINATOR(S)

Title IX, Section 504, the Age Discrimination Act, and Title II require recipients to designate at least one employee to coordinate compliance activities and investigate complaints charging discrimination. The policy making body of the recipient, usually the official Board, should approve the appointment of the coordinator(s) and record the appointment in the official Board meeting minutes.

The regulations identified two major responsibilities for a Civil Rights Coordinator:

- Coordinate compliance activities.
- Investigate complaints charging discrimination.

Example 1 provides a typical job description for a Coordinator.

EXAMPLE 1

CIVIL RIGHTS COORDINATOR JOB DESCRIPTION

Job Goal: To provide leadership and direction in expediting full compliance with the provisions of Title VI, Title IX, Section 504, the Age Discrimination Act, and Title II.

Performance Responsibilities:

1. Advises the Board of Education, the administration, and the staff of necessary action to eliminate discrimination in all educational programs, curricular and extra-curricular activities, and employment practices which come under Federal regulation.
2. Conducts appropriate evaluations of the school district's policies and practices and their effect on discrimination.
3. Implements the school district's Grievance Procedure.
4. Investigates complaints based on discrimination, according to the adopted nondiscrimination complaint procedure.
5. Receives and responds to inquiries related to discrimination.
6. Supervises implementation of compliance efforts.
7. Advises employment personnel of nondiscriminatory regulations in relationship to recruitment, hiring, assignment, promotion, transfer, lay-off, termination, reinstatement, job classification, salary and fringe benefits for all employees.
8. Assists in providing all students an equal opportunity to participate in, and benefit from, all academic and extra-curricular activities and services.
9. Assists in the development of internal procedures to insure that all appraisal and counseling materials do not discriminate.
10. Develops and implements procedures to determine that each organization or individual receiving "significant assistance" from the district does not discriminate in providing aid, benefits, or services to student employees of the district.
11. Directs appropriate personnel to maintain required data and records.
12. Assumes responsibility to be informed of changes and developments in the provisions of the Federal regulations and related legislation by attending professional meetings and reading appropriate publications.

Recipients must then notify students, employees, job applicants, and unions and professional organizations holding bargaining or professional agreements of the name or title, office address and telephone number of the coordinator(s). This dissemination effort must be conducted on a continuing basis and is part of the Notice of Nondiscrimination explained in the previous section. Examples 2 and 3 demonstrate additional methods of informing interested parties of the individual(s) designated.

EXAMPLE 2

MEMORANDUM OF DESIGNATED EMPLOYEE

MEMORANDUM

TO: Students, Parents/Guardians, Faculty and Staff
FROM: Superintendent James Hunt
SUBJECT: Title IX, Section 504, Age Discrimination Act, and Title II

The government has made legal provisions to insure that no person is discriminated against on the basis of race, color, national origin, sex, age or disability. In order to protect these rights and assure compliance, the North Pole Independent School District has appointed Ms. Pamela Knows as Coordinator of Title VI, Title IX, Section 504, the Age Discrimination Act, and Title II.

Inquiries concerning the application of, or grievances for, any of these regulations should be addressed to:

Ms. Pamela Knows
North Pole Independent School District
Administration Building, Room 205
Cold, Michigan 48823
(517) 555-3870

Any person who feels that the rights of an individual have been misused in relationship to the provision of equal opportunity in any educational programs and activities, or in employment, may contact Ms. Knows.

EXAMPLE 3

LETTER TO STUDENTS FOR
NOTIFICATION OF A CIVIL RIGHTS COORDINATOR

Dear Student:

Have you ever felt you missed out on something important in school? Perhaps you lost an opportunity to enroll in a class or to prepare for a career you really wanted to know more about. Maybe it was a chance to try out for a school play or make the varsity team. Not having the opportunity to explore your interests or take advantage of opportunities in school is a sure way to miss out.

As a student, you have rights and responsibilities guaranteed to you under federal laws that provide that ***no person in the United States shall, on the basis of race, color, national origin, sex, age, or disability be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance.***

The law simply means that your school cannot treat students differently. Knowing your rights is your first responsibility. Exercising your rights fairly, honestly and reasonably is your second responsibility.

If you or your parents/guardians would like more information about your rights as a student, please contact the Rights Coordinator:

Ms. Pamela Knows
North Pole Independent School District
Administration Building, Room 205
Cold, Michigan 48823
(517) 555-3870

As the Rights Coordinator, Ms. Knows will process and investigate all complaints of discrimination.

Sincerely,

SECTION D
NOTICE OF NONDISCRIMINATION

This section delineates the requirements for recipients of federal funds to issue notices of nondiscrimination, clarifies the information that recipients should include in their nondiscrimination notices, and provides a sample notice of nondiscrimination. This section is designed to assist recipients in establishing a notice of nondiscrimination that meets the requirements of the applicable regulations. It is based on a fact sheet entitled *Notice of Nondiscrimination*, published by the U.S. Department of Education, OCR.

Notice of Nondiscrimination Requirements

The regulations implementing Title VI, Title IX, Section 504, the Age Discrimination Act, and Title II contain requirements for recipients to issue notices of nondiscrimination.

These regulations **require that recipients notify beneficiaries and others** that they do not discriminate on the basis of race, color, national origin, sex, age, and disability. These regulations further **require that notification be conducted in a continuous manner**, though this is indirectly required for Title VI and Title II. However, these regulations contain minor differences relating to the required content of recipient notices of nondiscrimination and the methods used to publish them.

The Title VI regulation requires recipients to notify beneficiaries and others of the regulatory provisions in a manner that a responsible Department official finds necessary to apprise such persons of their protections against discrimination under the statute and regulation.

Title II regulation requires a public entity to make available to applicants, participants, beneficiaries, and other interested persons information regarding the provisions of this part and its applicability to the services, programs, or activities of the public entity, and make such information available to them in such manner as the head of the entity finds necessary to apprise such persons of the protections against discrimination assured them by the Act and this part.

Title IX, Section 504, and the Age Discrimination Act regulations all contain more detailed requirements that specify the information that must be included in a recipient notice of nondiscrimination. These regulations also **require recipients to include the name or title, address, and telephone number of the employee designated to coordinate efforts to comply** with and carry out responsibilities under Title IX, Section 504, and the Age Discrimination Act.

The Title IX regulation requires recipients to implement specific and *continuing steps* to apprise beneficiaries and others of the protections against discrimination on the basis of sex assured them by the Title IX statute and regulation. The notification must state that the requirement not to discriminate in educational programs and activities extend to employment and admission, and that inquiries concerning the regulation's application may be referred to the employee designated to coordinate Title IX compliance, or to the Assistant Secretary for Civil Rights. Recipients are required to include the name, address, and telephone number of the designated coordinator in its notification.

The Section 504 regulation requires a recipient employing 15 or more persons to implement appropriate, *continuing steps* to notify beneficiaries and others that the recipient does not discriminate on the basis of disability in violation of the statute and regulation. The notification must state, where appropriate, that the recipient does not discriminate in admission, treatment, or access to its programs or activities. The notification also must state that the recipient does not discriminate in employment in its programs or activities. The employee designated to coordinate the recipient's efforts to comply with the Section 504 regulation must be identified in the notification.

The Age Discriminaton Act requires a recipient to notify its beneficiaries, in *a continuing manner*, of information regarding the provisions of the Act and these regulations and their applicability to specific

programs. The notification must also identify the responsible employee by name or title, address, and telephone number.

Methods of Notification

In accordance with the Title IX and Section 504 regulations, recipients are **required to include a statement of nondiscriminatory policy in any bulletins, announcements, publications, catalogs, application forms, or other recruitment materials** that are made available to participants, beneficiaries, applicants, or employees. Other forms of notification may be used (e.g., publication in newspapers or on cable public access television). Though noted in the Section 504 regulation that recipients may meet this requirement by including appropriate inserts in existing materials and publications, this method has been shown to be ineffective for continuous dissemination. Title VI, the Age Discrimination Act, and Title II regulations do not specify the methods to be used by recipients in publishing notices of nondiscrimination. However, in accordance with Title II regulations, a public entity in providing the notice **must comply with the requirements for effective communication** in 35.160.

Combined Requirements

OCR has recognized that there are variations among the regulations for notice requirements and understands that recipients may wish to use one statement to comply with requirements of the Title II, Title VI, Title IX, Section 504, and Age regulations. OCR encourages the coordination of efforts to comply with these notice requirements by combining the regulatory requirements for a more reasonable compliance effort.

A combined nondiscrimination notice should contain two basic elements:

1. a statement of nondiscrimination on the bases of which OCR enforces civil rights statutes.
2. identification by name or title, address, and telephone number of the employee or employees responsible for coordinating the recipient's compliance efforts.

The following notes interpretations of the regulatory requirements that OCR has identified as acceptable and clarifies how these two elements may be stated correctly in a nondiscrimination notice:

- A recipient may state that it does not discriminate on the basis of race, color, national origin, sex, age, or disability. The **regulations do not require that a recipient identify the pertinent regulations by title** (e.g., Title VI, Title IX).
- The Title IX regulation requires a recipient to provide the name of the person responsible for its compliance effort in addition to the address and telephone number where that person may be contacted. However, OCR recognizes that the inclusion of a person's name in a non-discrimination notice may result in an overly burdensome requirement for republishing the notice if a person leaves the coordinator position. **OCR considers it acceptable for a recipient to identify its coordinator by a position title**. The Age regulation specifically states this option.
- The Section 504 regulation does not require a recipient to specifically include the address or telephone number of the responsible employee assigned to coordinate its compliance efforts. However, OCR considers that identifying the responsible employee without information on how to contact that person does not constitute an effective notice.
- Although Section 504 and Title IX regulations indicate that recipients, where appropriate, shall specify nondiscrimination in the areas of admission and employment, **OCR considers acceptable a general statement indicating that a recipient does not discriminate in any of its programs or activities under the regulations enforced by OCR**. This is supported by the Civil Rights Restoration Act of 1987 which amended civil rights statutes to define "program or activity" to mean all of the operations of specified entities. This would logically extend to cover services for Title II.

- The Title IX regulation indicates that inquiries concerning the application of the regulation may be referred to the coordinator or to the Assistant Secretary for Civil Rights. A recipient is **not required to include both the responsible employee and the Assistant Secretary for Civil Rights in its notice**. An acceptable notice may include either or both individuals' names or titles. If a recipient designates three different people to coordinate compliance with the Age Act, Section 504, and Title IX, the notice should include all three names or titles.

Sample Notice of Nondiscrimination

The following sample notices of nondiscrimination **meet the minimum requirements** of the Federal regulations enforced by OCR and may be used as models in developing your own notices. To comply with state regulations, you will also need to add religion, height, weight, and marital status as bases for nondiscrimination.

EXAMPLE 1 - One Coordinator

NOTICE

The Hadley School District does not discriminate on the basis of race, color, national origin, sex, age, or disability in its programs and activities. The following person has been designated to handle inquiries regarding the nondiscrimination policies:

Dr. Jane Smith, Administrative Assistant, 222 Education Avenue, Hadley, MI 48888, (313) 555-8888.

EXAMPLE 2 - More than One Coordinator

NOTICE OF NONDISCRIMINATION

The Smithville School District does not discriminate on the basis of race, color, national origin, sex, age, or disability in its programs and activities. The following people have been designated to handle inquiries regarding the nondiscrimination policies:

Inquiries related to discrimination on the basis of disability should be directed to:
Section 504 Coordinator
122 Center Road
Carnot, Michigan 43514
(906) 555-5555

Direct all other inquiries related to discrimination to:
Assistant Superintendent
122 Center Road
Carnot, Michigan 43514
(906) 555-5566

SECTION E
PUBLIC NOTIFICATION OF VOCATIONAL OPPORTUNITIES

OCR Guideline IV(O) requires recipients to issue public notification that all vocational opportunities will be offered without regard to race, color, national origin, sex, age, or disability. Several requirements encompass an acceptable notice.

This notification is to:

- Be made prior to the beginning of each school year.
- Advise students, parents/guardians, employees and the general public of their policy of nondiscrimination.
- Contain an assurance that the lack of English language skills will not be a barrier to admission and participation in vocational education programs.
- Be disseminated to communities of national origin minority persons with limited English language skills in its language.
- Provide a brief summary of program offerings.
- Provide a brief summary of admissions criteria.
- Provide the name or title, office address, and telephone number of the person(s) designated to coordinate Title IX, Section 504, and Age compliance.

Local newspapers, school newsletters, bulletins, memoranda, other publications, and other media are suggested ways for providing this notification, as shown in Example 4.

EXAMPLE

NEWSPAPER/NEWSLETTER ANNOUNCEMENT

Each year, the Cherwell School District offers vocational education programs at Hubble High School. These programs are designed to prepare youth for a broad range of employment and training services and are offered under the guidance of certified teachers, counselors and cooperative education coordinators. The following is a list of programs being offered this year and criteria for admission.

Program	Criteria for Admission
Clerk-Typist	Prerequisite - 1 year typing
Food Management	none
Retailing	none
Auto Mechanics	none
Production Agriculture	none

All vocational education programs follow the district's policies of nondiscrimination on the basis of race, color, religion, national origin or ancestry, sex, age, disability, height, weight, or marital status in all activities and employment. In addition, arrangements can be made to ensure that the lack of English language skills is not a barrier to admission or participation.

For general information about these programs, contact:
Dr. Lyle Jones, Vocational Education Director
Central Administration Office
Cherwell School District
14 Lake Michigan Drive
Cherwell, Michigan 42799
(616) 934-7000

Inquiries regarding nondiscrimination policies should be directed to:
Dr. Karen Mifflen, Assistant Superintendent
Cherwell School District
Central Administration Office
14 Lake Michigan Drive
Cherwell, Michigan 42799
(616) 934-7002

SECTION F
GRIEVANCE PROCEDURES

Title IX, Section 504, the Age Discrimination Act, and Title II specify that recipients adopt and publish written grievance procedures for handling complaints alleging violation. While Title VI does not contain this specific requirement, it is implied in Section 100.6(d), "Information to beneficiaries and participants." It is highly advisable, therefore, for recipients to adopt and publish grievance procedures for Title VI.

TITLE VI - SECTION 100.6

> *". . . . and make such information available to them in such manner as the responsible Department official finds necessary to appraise such persons of the protections against discrimination assured them by the Act and its regulations."*

Content

The following "Checklist for Evaluating the Content of Grievance Procedures" may be used to develop or assess the processes of a grievance procedure. An example of a grievance procedure which would apply for any of the current Federal regulations is also provided in this Section.

CHECKLIST FOR EVALUATING THE CONTENT OF GRIEVANCE PROCEDURES[1]

Listed below are a number of questions which may be used to evaluate the content of grievance procedures. Questions are organized into three sections: initiation and filing of the grievance; processing of the grievance; and basic procedural rights. Remember that these questions DO NOT reflect specific requirements; instead, they reflect general principles of grievance processing. A "no" answer DOES NOT indicate a violation of a requirement, but it may indicate an area where further specification is desirable.

Initiation and filing of grievances:

Does the grievance procedure:	Yes	No
1. Provide clear and adequate definitions of who may grieve, of what issues may be covered by grievances, and of the terms used throughout the procedure?	○	○
2. Cover all persons?	○	○
3. Clearly state the form and procedure for filing of grievances?	○	○
4. Specify any applicable time limits in the initiation of a grievance?	○	○
5. Provide for assistance to grievants in the filing/ preparation/processing of a grievance?	○	○
6. Specify the responsibilities of institutional agency staff for the receipt and initial handling of grievances?	○	○
7. Provide methods of informal and prompt resolution of grievances when further processing is not needed?	○	○

[1](Condensed from) U. S. Department of Health, Education, and Welfare, *Title IX Grievance Procedures: An Introductory Manual*, Contract 300-75-0256, National Foundation for the Improvement of Education, Washington, D. C., pg. E-I and E-2.

Processing of grievances:

Does the grievance procedure:	Yes	No
1. State the number and levels of steps for grievance processing and the criteria for initial referral to each level?	○	○
2. State the form of grievance presentation and processing (oral/written; hearing officer/hearing panel; etc.) at each step?	○	○
3. Specify the criteria and procedures for the assignment of initial hearing levels?	○	○
4. Delineate procedures and responsibilities for notification of all parties at each processing level?	○	○
5. Delineate timelines for all activities within the grievance procedure?	○	○
6. Specify the procedures which shall be used in conducting the grievance hearings?	○	○
a. amount of time allocated to each hearing?	○	○
b. amount of time allocated to each party to the grievance?	○	○
c. right of each party to representation and assistance?	○	○
d. right of each party to present witnesses and evidence?	○	○
e. right of each party to question witnesses?	○	○
f. roles of persons involved in the hearing?	○	○
g. right of grievant to determine whether hearing shall be open to the public?	○	○
h. provisions/requirements for recording the hearing?	○	○
7. Specify any requirements for submission of written information by grievants or others?	○	○
8. State the form and timelines of the preparation of grievance decisions?	○	○
9. Clearly state the procedures and timelines for the grievant's acceptance or appeal of grievance decisions?	○	○
10. Specify the roles and selection of persons involved in grievance processing?	○	○

Basic and procedural rights:

Does the grievance procedure:		
1. Provide grievants with the right to appeal to progressive levels of decision making?	○	○
2. Provide assurances regarding the impartiality of hearing officers?	○	○
3. Provide for confidentiality of grievance proceedings if so desired by the grievant?	○	○
4. Provide for grievant's access to relevant institutional/agency records?	○	○
5. Provide for the protection of grievants and respondents from harassment and entry of information into student and personnel files?	○	○
6. Provide for confidentiality of grievance records if so desired by the grievant?	○	○

EXAMPLE

GRIEVANCE PROCEDURES

FOR

TITLE VI OF THE CIVIL RIGHTS ACT OF 1964
TITLE IX OF THE EDUCATION AMENDMENT ACT OF 1972
TITLE II OF THE AMERICANS WITH DISABILITY ACT OF 1990
SECTION 504 OF THE REHABILITATION ACT OF 1973
AGE DISCRIMINATION ACT OF 1975

Section I

Any person believing that the North Pole Independent School District or any part of the school organization has inadequately applied the principles and/or regulations of (1) Title VI of the Civil Rights Act of 1964, (2) Title IX of the Education Amendment Act of 1972, (3) Section 504 of the Rehabilitation Act of 1973, (4) the Age Discrimination Act of 1975, and (5) Title II of the Americans with Disability Act of 1990 may bring forward a complaint, which shall be referred to as a grievance, to the local Civil Rights Coordinator at the following address:

Administration Building
Cold, Michigan 48823
(555) 222-4444

Section II

The person who believes a valid basis for grievance exists shall discuss the grievance informally and on a verbal basis with the local Civil Rights Coordinator, who shall in turn investigate the complaint and reply with an answer to the complainant within five (5) business days. The complainant may initiate formal procedures according to the following steps.

Step 1

A written statement of the grievance signed by the complainant shall be submitted to the Local Civil Rights Coordinator within five (5) business days of receipt of answers to the informal complaint. The coordinator shall further investigate the matters of grievance and reply in writing to the complainant within five (5) days.

Step 2

A complainant wishing to appeal the decision of the Local Civil Rights Coordinator may submit a signed statement of appeal to the Superintendent of Schools within five (5) business days after receipt of the Coordinator's response. The superintendent shall meet with all parties involved, formulate a conclusion, and respond in writing to the complainant within ten (10) business days.

Step 3

If unsatisfied, the complainant may appeal through a signed, written statement to the Board of Education within five (5) business days of receiving the superintendent's response in step two. In an attempt to resolve the grievance, the Board of Education shall meet with the concerned parties and their representative within forty (40) days of the receipt of such an appeal. A copy of the Board's disposition of the appeal shall be sent to each concerned party within ten (10) days of this meeting.

Step 4

If at this point the grievance has not been satisfactorily settled, further appeal may be made to the Office for Civil Rights, Department of Education, Washington, D.C. 20202.

Inquiries concerning the nondiscriminatory policy may be directed to Director, Office for Civil Rights, Department of Education, Washington, D.C. 20202.

The local Coordinator, on request, will provide a copy of the district's grievance procedure and investigate all complaints in accordance with this procedure.

A copy of each of the Acts and the regulations on which this notice is based may be found in the Civil Rights Coordinator's office.

Dissemination of Grievance Procedures

Adopted grievance procedures should be disseminated to students, parents/guardians, employees, organizations and others to effectively inform them about the processing of grievances. The information must be provided on a continuing basis through the distribution of written materials and/or through periodic briefings.

Written materials through which grievance procedures may be disseminated include:

Student/Parent-Guardian/Employee Handbooks
Faculty Handbooks
Newspaper/Newsletter articles
Memoranda
Bulletins
Pamphlets/brochures
School catalogs
Course offering booklets/curriculum guides

Periodic briefings on grievance procedures can be done in:

Regular Student/Parent-Guardian/Staff meetings
Special meetings or assemblies
Classroom presentations
Seminars

Maintenance of Grievance Records

The maintenance of grievance records is recommended for the purpose of documenting compliance. Records should be kept for each grievance filed and, at a minimum, should include

1. The name of the grievant or complainant and their title or status.
2. The date the grievance was filed.
3. The specific allegation made and any corrective action requested by the grievant.
4. The name of the respondents.
5. The levels of processing followed and the resolution, date and decision-making authority at each level.
6. A summary of facts and evidence presented by each party involved.
7. A statement of the final resolution and the nature and date(s) of any corrective or remedial action taken.

The following is a sample Complaint form used to initiate this record keeping process.

EXAMPLE

COMPLAINT FORM

☐ Title VI ☐ Title IX ☐ Section 504 ☐ Age Discrimination Act ☐ Title II

Name _____ Date _____

Address _____
(Street)

_____
(City) (Zip)

Telephone _____ _____
(Home) (School or work location)

Status of person filing complaint: _____ Student _____ Employee
_____ Parent/Guardian _____ Other

Statement of Complaint (include type of discrimination charged and the specific incident(s) in which it occurred):

_____

_____

_____

_____

_____

Signature of Complainant: _____

Date Complaint Filed: _____

Signature of person receiving complaint: _____

Date Received: _____ Complaint Number: _____

Complaint Authority: _____

Submit all copies to the local Civil Rights Coordinator. The person receiving the complaint will sign receipt, date and number the complaint. One copy will be returned to the complainant, one copy will be sent to the school or department affected by the complaint, and one copy will be retained by the Civil Rights Coordinator.

DISTRIBUTION. 1st copy - Civil Rights Coordinator
2nd copy - School/Department
3rd copy - Complainant

SECTION G
SELF-EVALUATIONS FOR TITLE IX, SECTION 504 AND TITLE II

TITLE IX SELF-EVALUATION

Although the Title IX regulation applies to all education programs and activities, self-evaluation, as discussed in this section, relates specifically to vocational education. This approach to self-evaluation places special emphasis on information, criteria and procedures in the following areas:

- Admission and Access to courses,
- Counseling and Guidance,
- Treatment of Students.

Self-Evaluation: Action Checklists - Admission and Access

Self-evaluation is a process involving staff at all levels of the institution or agency. The following checklists provide general suggestions to personnel at the central administrative, building administrative and building staff levels as to procedures which facilitate effective evaluation of compliance with Title IX requirements for nondiscrimination in access to vocational education.

Central Office Staff

- Has a policy statement been issued which affirms the rights of every student to access to vocational education courses, programs and schools without regard to sex? Yes No

- Has a policy directive regarding the specific implications of Title IX for agency vocational education courses, programs and schools been disseminated to administrators and relevant staff? Yes No

- Have forms, procedures and timelines been developed for submission to the central office by *all building administrators* of:

  - assurances of review of policies governing student access to courses, programs or schools of vocational education and modification where necessary to ensure compliance with Title IX? Yes No

  - assurances of review of procedures, criteria and testing instruments used in the admission or assignment of students to courses, programs or schools of vocational education and modification where necessary to ensure compliance with Title IX? Yes No

  - assurances of review of all descriptive materials relating to student access to courses, programs or schools of vocational education (including student handbooks or catalogs) and modification where necessary to ensure that content, language and illustrations reflect compliance with Title IX? Yes No

  - assurances of review of all vocational education course and curriculum guidelines and modification where necessary to ensure compliance with Title IX? Yes No

  - assurances of review by sex of all enrollments in classes, courses or programs of vocational education to identify those in which enrollment of students of a single sex is 80% or more; and a description of procedures used to ensure that any such disproportionate enrollments identified are not the result of sex discrimination in counseling or counseling materials? Yes No

- Have forms, procedures and timelines been developed for submission to the central office by *administrators of vocational schools* of:

  - assurances of review of admissions policies and procedures and modifications where necessary to ensure compliance with Title IX? Yes No

  - assurances of review of all admissions forms and materials to ensure compliance with Title IX? Yes No

  - assurances of review of all tests or criteria used in the admissions process and modification where necessary to ensure compliance with Title IX? Yes No

  - assurances of review of policies and practices related to student recruitment and modification where necessary to ensure compliance with Title IX? Yes No

  - assurances of review of all materials used in the recruitment of students (including student handbooks, catalogs and descriptive brochures) and modification where necessary to ensure that content, language and illustrations reflect compliance with Title IX? Yes No

  - a description of any steps taken to encourage applications by members of the excluded sex if the school previously admitted (as students) only members of one sex? Yes No

  - assurances of review and modification where necessary of all other policies, practices and materials affected by Title IX requirements* as specified by central office directives? Yes No

- Have district guidelines or policies regarding procedures and/or criteria to be used in assigning students to courses, programs or schools of vocational education been reviewed and modified where necessary to ensure compliance with Title IX? Yes No

- Have all district vocational education curriculum guidelines or policies been reviewed and modified where necessary to ensure compliance with Title IX? Yes No

- Has every building administrator submitted all required data and assurances to the central office according to specified timelines? Yes No

*Note: Schools of vocational education are subject to all requirements of the Title IX Regulation which affect local education agencies.

Building Administrators (Principals/Supervisors)

All schools–vocational and nonvocational

- Has a policy directive regarding the specific implications of Title IX for courses and programs of vocational education been disseminated to all vocational education staff and counselors? Yes No

- Have you requested that all building staff submit information regarding any instances of sex discrimination that they may identify in policies, practices or materials related to vocational education courses and programs? Yes No

- Have you prepared the following and submitted them to the central administration according to specified format and timelines:

  - assurances of review of policies governing student access to courses and programs of vocational education and modification where necessary to ensure compliance with Title IX? Yes No

  - assurances of review of procedures, criteria and testing instruments used in admission or assignment of students to courses or programs of vocational education and modification where necessary to ensure compliance with Title IX? Yes No

  - assurances of review of all descriptive materials relating to student access to courses or programs of vocational education (including student handbooks or catalogs) and modification where necessary to ensure that content, language and illustrations reflect compliance with Title IX? Yes No

  - assurances of review of all vocational education course and curriculum guidelines and modification where necessary to ensure compliance with Title IX? Yes No

  - assurances of review by sex of all vocational education classes, courses or programs to identify those in which enrollment of students of a single sex is 80% or above; and a description of procedures used to ensure that any such disproportionate enrollments identified are not the result of sex discrimination in counseling or counseling materials? Yes No

Vocational schools only

- Has a policy directive regarding the specific implications of Title IX for admissions to schools of vocational education been disseminated to all staff involved in the admissions or recruitment process? Yes No

- Have you requested that all building staff submit information regarding any instances of sex discrimination that they may identify in policies, practices or materials relating to the admissions or recruitment of students? Yes No

- Have you prepared the following and submitted them to the central administration according to specified format and timelines:

  - assurances of review of admissions policies and procedures and modification where necessary to ensure compliance with Title IX? Yes No

  - assurances of review of all admissions forms and materials to ensure compliance with Title IX? Yes No

  - assurances of review of all tests or criteria used in the admissions process and modification where necessary to ensure compliance with Title IX? Yes No

  - assurances of review of policies and practices related to student recruitment and modification where necessary to ensure compliance with Title IX? Yes No

  - assurances of review of all materials used in the recruitment of students (including student handbooks, catalogs and descriptive brochures) and modification where necessary to ensure that content, language and illustrations reflect compliance with Title IX? Yes No

  - if the school previously admitted as students only members of one sex, a description of any steps taken to encourage application by members of the excluded sex? Yes No

  - assurances of review and modification where necessary of all other policies, practices and materials relating to Title IX requirements* as specified by central office directives? Yes No

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*Note: Schools of vocational education are subject to all requirements of the Title IX Regulation which affect local education agencies.

Building Staff (Instructors/Counselors)

Instructors

- Have you familiarized yourself with the implications of the Regulation to implement Title IX for vocational education (industrial, technical, business, distributive and home economics) courses and programs for which you have responsibility? Yes No

- Are all vocational and related courses and programs for which you have responsibility open to males and females according to the same criteria? Yes No

- Have you reviewed all course descriptions and plans to ensure that females and males are accorded equal treatment and experiences in all courses/programs for which you have responsibility? Yes No

- Have you reviewed all course enrollments by sex to identify those courses in which enrollment by students of one sex is 80% or above? Yes No

- If you have identified courses with such a disproportionate enrollment, have you taken steps to assure yourself that this is not the result of sex discrimination? Yes No

- Have you submitted information to your building administrator/supervisor regarding any instances of discrimination you have identified in policies, practices or materials relating to student access to courses? Yes No

Counselors

- Have you familiarized yourself with the implications of the Regulation to implement Title IX regarding nondiscrimination in student access to courses as they pertain to counseling services? Yes No

- Have you reviewed your counseling policies, practices and materials to assess their compliance with Title IX and modified them where necessary? Yes No

- Have you made it clear to all students that all vocational education courses, programs and schools are open equally to males and females? Yes No

- Have you reviewed all tests used in assignment, referral or placement of students in courses/programs/schools of vocational education to ensure that they do not have a disproportionately adverse effect upon students of one sex? Yes No

- If materials which do have such effect are used, have:

  – these materials been demonstrated to validly predict success in the course/program in question? Yes No

  – other materials which do not have such effect been shown to be unavailable? Yes No

- Have you reviewed vocational course/program enrollments by sex to identify any courses/programs in which the enrollment of students of one sex is 80% or more? Yes No

- If you have identified courses or programs with such a disproportionate enrollment, have you taken steps to assure yourself that this is not the result of sex discrimination in counseling practices or materials? Yes No

- Have you submitted to your building administrator or supervisor information concerning any instances of discrimination you have identified in policies, practices or materials relating to student access to vocational education? Yes No

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*The 80/20 percent enrollment proportion is a federal benchmark. 50/50 percent enrollment proportion is the approved benchmark for Michigan's Civil Rights compliance program in vocational education.

Self-Evaluation: Action Checklists - Counseling and Guidance

Self-evaluation is a process involving staff at all levels of an institution or agency. The following checklists provide general suggestions to personnel at the central administrative, building administrative and building staff levels as to procedures and review questions which facilitate effective evaluation of compliance with Title IX requirements for nondiscrimination in counseling.

Central Office Staff

- Has a policy statement been issued which affirms the right of every student to counseling without regard to sex? Yes No

- Has a policy directive regarding the specific implications of Title IX for counseling policies and practices, counseling instruments, and counseling materials been developed and disseminated to administrators and relevant staff? Yes No

- Have forms, procedures and timelines been developed and disseminated for submission to the central office by building administrators of:

  - assurances of review of all school policies and program plans relating to the provision of counseling and testing services and modification where necessary to ensure compliance with Title IX? Yes No

  - assurances of review of all descriptive materials relating to school counseling and testing services and modification where necessary to ensure compliance with Title IX? Yes No

  - assurances of review of all manuals, procedural guidelines or other documents pertaining to the responsibilities/job functions of counseling personnel and modification where necessary to ensure compliance with Title IX? Yes No

  - assurances of review of all counseling and testing instruments (and procedures for their use) and modification where necessary to ensure compliance with Title IX? Yes No

  - assurances of review of all counseling materials and modification where necessary to ensure compliance with Title IX? Yes No

  - assurances of review of all course enrollments by sex and a description of procedures used to ensure that course enrollments found to be disproportionate (which are 80% or above students of one sex) are not due to sex discrimination in counseling or counseling materials? Yes No

- Have all agency/district policies regarding the provision of counseling and testing services been reviewed and modified where necessary to ensure compliance with Title IX? Yes No

- Have all descriptive materials relating to counseling and testing services provided by the agency/district been reviewed and modified where necessary to ensure compliance with Title IX? Yes No

- Have all district/agency manuals, procedural guidelines or other documents pertaining to the responsibilities/job functions of counseling personnel been reviewed and modified where necessary to ensure compliance with Title IX? Yes No

- Have criteria been developed and/or disseminated by which persons with the responsibility for the selection/purchasing of tests, appraisal instruments and counseling materials shall evaluate such instruments to determine compliance with Title IX? Yes No

- Have directives been issued and/or training provided regarding the nondiscriminatory use of tests or instruments currently employed in the district/agency? Yes No

- Have all counseling materials currently employed in the district been reviewed and modified where necessary to ensure compliance with Title IX? Yes No

- Has every building administrator submitted all required data and assurances to the central office according to the specified timeline? Yes No

Building Administrators (Principals/Supervisors)

- Has a policy directive regarding the specific implications of Title IX for counseling policies and practices, counseling instruments, and counseling materials been developed and disseminated to all counselors/members of the counseling staff? Yes No

- Have you requested that all building staff submit information concerning any instances of sex discrimination that they may identify in counseling policies or practices, counseling instruments and counseling materials? Yes No

- Have records of counseling contacts for the current school year (or, if these records are unavailable, of a sample two-week period) been reviewed to identify possible differential provision of student counseling services on the basis of sex? Yes No

- Have all counselors received information and/or training regarding the nondiscriminatory use and interpretation of tests and counseling instruments administered by the school? Yes No

- Have you prepared the following and submitted them to the central administration according to specified format and timelines:

  - assurances of review of all school policies and program plans relating to the provision of counseling and testing services and modification where necessary to ensure compliance with Title IX? Yes No

  - assurances of review of all descriptive materials relating to school counseling and testing services and modification where necessary to ensure compliance with Title IX? Yes No

  - assurances of review of all manuals, procedural guidelines or other documents pertaining to the responsibilities/job functions of counseling personnel and modification where necessary to ensure compliance with Title IX? Yes No

  - assurances of review of all counseling and testing instruments (and procedures for their use) and modification where necessary to ensure compliance with Title IX? Yes No

  - assurances of review of all counseling materials and modification where necessary to ensure compliance with Title IX? Yes No

  - assurances of review of all course enrollments by sex and a description of procedures used to ensure that course enrollments found to be disproportionate (which are 80% or above students of one sex) are not due to sex discrimination in counseling or counseling materials? Yes No

Building Staff (Counselors)

- Have you familiarized yourself with the implications of Title IX requirements for nondiscrimination in the counseling process, in counseling instruments and their use, and in counseling materials? Yes No

- Have you reviewed records of your counseling contacts by sex of student, source of initiation and nature of contact, to identify possible evidence of sex bias in the provision of counseling services? Yes No

- Do you encourage all students to make academic, career and personal decisions on the basis of individual abilities, interests and values rather than on the basis of sex? Yes No

- Have you reviewed all counseling instruments used in your school to determine sources of sex bias? Yes No

- Have you familiarized yourself with and applied techniques for the nondiscriminatory administration and interpretation of counseling instruments used in your school? Yes No

- Have you reviewed all counseling materials used in your counseling programs or activities for sources of sex bias and modified these materials where necessary to achieve compliance with Title IX? Yes No

- Have you submitted to your building administrator or supervisor information concerning any instances of sex discrimination that you have identified in counseling policies or practices, in counseling instruments or in counseling materials? Yes No

Self-Evaluation: Action Checklists - Treatment of Students

Self-evaluation is a process involving staff at all levels of the institution or agency. The following checklists provide general suggestions to personnel at the central administrative, building administrative and building staff levels as to procedures and review questions which facilitate effective evaluation of compliance with Title IX requirements for nondiscrimination in the treatment of students.

Central Office Staff

- Has a policy statement been issued which affirms the right of all students to equal treatment (including aid, benefits, services and application of rules and regulations) without regard to sex? Yes No

- Has a policy directive regarding the specific implications of Title IX for the treatment of students (including but not limited to such areas as insurance benefits, health services, employment assistance, honors and awards, extracurricular activities, behavior codes and dress codes) been developed and disseminated to all administrators and relevant staff? Yes No

- Have forms, procedures and timelines been developed and disseminated for submission to the central office by building administrators of:

  - assurances of notification to all organizations or individuals providing services, benefits or aid to students which are sponsored or administered by the school of the school's obligation to comply with Title IX and the receipt of compliance assurances from all organizations or individuals so notified? Yes No

  - assurances of review of all student health services and modification where necessary to ensure compliance with Title IX? Yes No

  - assurances of review of all policies and/or agreements pertaining to the employment of students by the school or by outside organizations or individuals and modification where necessary to ensure compliance with Title IX? Yes No

  - assurances of review of all policies and/or programs relating to student honors and awards and modification where necessary to ensure compliance with Title IX? Yes No

  - assurances of review of all policy and descriptive materials relating to extracurricular activities administered, operated or sponsored by the school and modification where necessary to ensure compliance with Title IX? Yes No

- assurances of review of all policy and descriptive materials relating to any special student services provided by the school and modification where necessary to ensure compliance with Title IX? Yes No

- assurances of review of all policies pertaining to student use of school facilities and modification where necessary to ensure compliance with Title IX? Yes No

- assurances of review of all policies or regulations regarding student behavior and dress and any sanctions related to the enforcement of these policies or regulations and modification where necessary to ensure compliance with Title IX? Yes No

- assurances of review of any other school policies pertaining to the treatment of students and modification where necessary to ensure compliance with Title IX? Yes No

- Have all organizations or vendors providing services, benefits or aid to students which are sponsored or administered by the education agency been notified of the agency's policy of compliance with Title IX and have they submitted assurances of their own compliance? Yes No

- Have all agency policies and materials pertaining to student health services and programs been reviewed and modified where necessary to ensure compliance with Title IX? Yes No

- Have all policies, statements or contractual agreements regarding medical, hospital, life or accident insurance plans made available to students by the education agency been reviewed and modified where necessary to ensure compliance with Title IX? Yes No

- Have all agency policies, statements or contractual agreements regarding employment assistance to students, whether provided by the district or by an outside individual or organization, been reviewed and modified where necessary to ensure compliance with Title IX? Yes No

- Have all agency-administered honors and awards policies and programs been reviewed and modified where necessary to ensure compliance with Title IX? Yes No

- Have all descriptive and policy materials pertaining to student extracurricular activities and programs been reviewed and modified where necessary to ensure that those activities and programs administered, sponsored or operated by the education agency are in compliance with Title IX? Yes No

- Have all descriptive and policy materials pertaining to any special student services provided by the district been reviewed and modified where necessary to ensure compliance with Title IX? Yes No

- Have all descriptive and policy materials pertaining to student use of district facilities been reviewed and modified where necessary to ensure compliance with Title IX? Yes No

- Have all other district policies relating to the treatment of students (other than those pertaining to course access, counseling, athletics, financial assistance and student marital and parental/guardian status which are considered elsewhere) been reviewed and modified where necessary to ensure compliance with Title IX? Yes No

- Have all district policies regarding the behavior of students and the penalties or punishments to be imposed for student violations been reviewed and modified where necessary to ensure compliance with Title IX? Yes No

- Have all district policies regarding student dress or appearance been reviewed and modified where necessary to ensure compliance with Title IX? Yes No

- Has every building administrator submitted all required data and assurances to the central office according to the specified timeline? Yes No

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Building Administrators (Principals/Supervisors)

- Has a policy directive regarding the specific implications of Title IX for the treatment of students (including but not limited to such areas as insurance benefits, health services, employment assistance, honors and awards, extracurricular activities, behavior codes and dress codes) been developed and disseminated to all staff? Yes No

- Have you requested that all building staff submit information concerning any instances of sex discrimination that they may identify in policies, practices or materials relating to the treatment of students (including but not limited to such areas as insurance benefits, health services, employment assistance, honors and awards, extracurricular activities, behavior codes and dress codes)? Yes No

- Have you prepared the following and submitted them to the central administration according to the specified timelines:

  - assurances of notification to all organizations or individuals providing services, benefits or aid to students which are sponsored or administered by the school of the school's obligation to comply with Title IX and the receipt of compliance assurances from all organizations or individuals so notified? Yes No

  - assurances of review of all student health services and modification where necessary to ensure compliance with Title IX? Yes No

  - assurances of review of all policies and/or agreements pertaining to the employment of students by the school or by outside organizations or individuals and modifications where necessary to ensure compliance with Title IX? Yes No

  - assurances of review of all policies and/or programs relating to student honors and awards and modification where necessary to ensure compliance with Title IX? Yes No

  - assurances of review of all policy and descriptive materials relating to extracurricular activities administered, operated or sponsored by the school and modification where necessary to ensure compliance with Title IX? Yes No

  - assurances of review of all policy and descriptive materials relating to any special services provided by the school and modification where necessary to ensure compliance with Title IX? Yes No

  - assurances of review of all policies pertaining to student use of school facilities and modification where necessary to ensure compliance with Title IX? Yes No

- assurances of review of all policies or regulations regarding student behavior and dress and any sanctions related to the enforcement of these policies or regulations and modification where necessary to ensure compliance with Title IX? Yes No

- assurances of review of any other school policies pertaining to the treatment of students and modification where necessary to ensure compliance with Title IX? Yes No

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Building Staff (Instructors/Counselors/Student Personnel Workers)

- Have you familiarized yourself with the implications of the Title IX Regulation for your activities or programs affecting the treatment of students in the:

  (Check only those relevant to your personal responsibilities and activities.)

  - provision of health services? Yes No
  - provision of employment or job placement assistance? Yes No
  - bestowing of honors or awards? Yes No
  - provision, sponsorship or supervision of extracurricular activities and programs? Yes No
  - development or implementation of policies concerning student use of school facilities? Yes No
  - development or implementation of rules, regulations or sanctions governing student behavior? Yes No
  - development or implementation of rules, regulations or sanctions governing student dress or appearance? Yes No
  - other relevant areas (specify)_____ Yes No

- Have you reviewed all of your programs, activities and materials related to the treatment of students (in those areas checked above) and modified them where necessary to ensure that all students are treated equally–provided identical aid, benefits or services according to the same criteria–and without regard to sex as required by Title IX? Yes No

- Have you submitted to your building administrator or supervisor information concerning any instances of discrimination you have identified in policies, practices or materials relating to the treatment of students? Yes No

Institutional Self-Evaluation Summary Report

Once all parts of the Title IX self-evaluation are completed, it is recommended that a summary report be developed to reflect all findings and actions planned or taken for compliance.

A format for the Institutional Self-Evaluation Summary Report is provided along with a completed sample.

INSTITUTIONAL TITLE IX SELF-EVALUATION

SUMMARY REPORT FORM FORMAT

Compliance area:

Staff member responsible for area coordination: (name, position, office address and telephone)

Policy statement issued: (date)

Policy directive issued: (date)

Data/assurances required

forms, procedures, and timelines issued: (date)

data/assurances received:
from central office staff member– (date)
from building administrators
(specify schools)– (date)

Noncompliance identified:

(list policies, practices or materials found to be in noncompliance)

Modifications taken:

(list any actions taken to correct noncompliance) (date completed)

Remedial steps taken or planned:

(list any actions taken to eliminate the effects of identified noncompliance) (date completed or of planned completion)

Comments:

EXAMPLE

INSTITUTIONAL TITLE IX SELF-EVALUATION
SUMMARY REPORT FORM
COMPLETED SAMPLE

Compliance area: Counseling

Staff member responsible for area coordination:
M. Ortega, Director of Counseling and Guidance
Administration Building, Room 401, 833-5426

Policy statement issued: December 1, 1975
Policy directive issued: February 1, 1976

Data/assurances required

forms, procedures and timelines issued:	February 1, 1976
data/assurances received:	(deadline--May 1 , 1976)
from central office staff	March 20, 1976
from building administrators--	
Reed Junior High School	April 1, 1976
Jefferson Junior High School	April 10, 1976
Stratford Junior High School	May 1, 1976
Central High School	March 31,1976
West High School	May 1, 1976

Noncompliance identified:

Hedges Vocational Interest Blank currently in use has separate male and female scoring forms, each listing different occupations.

Choosing A Career, used for senior high school counseling, shows females in only 4 illustrations while males are shown in 39. Females are shown only as nurses, teachers and librarians; text refers to choosing a career which is compatible with responsibilities of motherhood.

Three of four counselors in Reed Junior High School routinely advise all female students to take one semester of personal typing before graduation. No such advice is given to male students.

Vocational education courses in every junior and senior high school have been found to have sexually disproportionate enrollments. Course descriptions in student course catalogs have been found to use stereotyped, sex-linked pronouns in referring to these courses (e.g., "he" when referring to auto mechanics students; "she" when referring to secretarial students).

Modifications taken:

As of March 1, 1976, the Hedges Vocational Interest Blank was replaced by the Martin Career Maturity Inventory.

Choosing A Career will be supplemented by **Career Decisions: Planning for Women**, until such time as a sound nonsexist career guidance volume can be identified.

A directive regarding legal responsibility for nondiscriminatory counseling has been disseminated to all counselors.

SECTION 504 SELF-EVALUATION

The following checklist, entitled "Section 504 Self-Evaluation Questions"[2], is a tool for recipients to use in examining their policies, programs and activities.

It should be noted that a "yes" answer to any or all of the checklist questions should not be interpreted as constituting proof of compliance with the Section 504 Regulations. Nor is a completed checklist requisite to compliance. The checklist is intended to help in the development of transition plans.

A Section 504 "Institutional Self-Evaluation Summary Report Form" is provided after the "Self-Evaluation Questions" which may be used as a guide for developing a transition plan.

[2]U.S. Department of Health, Education, and Welfare, "Civil Rights, Persons with Disabilities, and Education: Section 504 Self-Evaluation Guide for Preschool, Elementary, Secondary, and Adult Education", Contract 100-77-0099, CRC Education and Human Development, Inc., Belmont, Massachusetts, pg. 97-105 and 109-110.

SECTION 504 SELF-EVALUATION QUESTIONS

Purpose: This checklist is intended to help in the development of transition plans. It should be noted that a "yes" answer to any or all of the checklist questions should not be interpreted as constituting proof of compliance with the Section 504 Regulations. Nor is a completed checklist requisite to compliance.

	Yes	No
FREE APPROPRIATE PUBLIC EDUCATION		
Appropriate Education		
1. Are all persons with disabilities provided regular or special education and related aids and services that are designed to meet their individual needs as adequately as the needs of persons without disabilities are met? [Section 104.33(b)(1)(I)]	○	○
2. Are all persons with disabilities provided regular or special education and related aids and services that are based upon adherence to procedures that satisfy the requirements of:		
a. Section 104.34?	○	○
b. Section 104.35?	○	○
c. Section 104.36? [Section 104.33(b)(1)(ii)]	○	○
3. If a person with a disability is placed in, or referred to, a program not operated by you, * have you maintained responsibility for ensuring that the requirements of Subpart D are met with respect to this person? [Section 104.33(b)(3)]	○	○

* The word "you" in this section refers to the recipient, that is, public and private educational institutions receiving Federal financial assistance.

	Yes	No

Free Education

1. Are persons with disabilities provided educational and related services without cost to themselves or their parents/guardians, except for those fees imposed on persons without disabilities or their parents/guardians? [Section 104.33(c)(1)] ○ ○

2. If persons with disabilities are placed in programs not operated by you:

   a. Is adequate transportation to and from any such program provided at no greater cost to the persons with disabilities or their parents/guardians than that of transportation to and from a program which you operate? [Section 104.33(c)(2)] ○ ○

   b. If placement is in a public or private residential program:

      - Is the program provided at no cost to persons with disabilities or their parents/guardians? ○ ○
      - Is nonmedical care provided at no cost to persons with disabilities or their parents/guardians? ○ ○
      - Is room and board provided at no cost to persons with disabilities or their parents/guardians? [Section 104.33(c)(3)] ○ ○

Date of Compliance

1. Have the Section 104.33 requirements regarding the provision of a free, appropriate, public education, including the nonexclusion provision, been achieved by no later than September 1, 1978? [Section 104.33(d)] ○ ○

LOCATION AND NOTIFICATION

1. Are efforts being made annually to identify and locate every qualified person with a disability residing in the jurisdiction who is not receiving a public education? [Section 104.32(a)] ○ ○

2. Are appropriate steps being taken annually to notify persons with disabilities and their parents/guardians of the recipient's duties under Subpart D? [Section 104.32(b)] ○ ○

	Yes	No
EDUCATIONAL SETTING		
Integrated Education		
1. Are persons with disabilities furnished the opportunity to receive an education together with persons without disabilities to the maximum extent appropriate to the needs of those persons with disabilities? [Section 104.34(a)]	○	○
Nonintegrated Setting		
1. If persons with disabilities are placed in a setting other than the regular education environment:		
a. Has it been demonstrated that the education of those persons in the regular environment with the use of supplementary aids and services cannot be achieved satisfactorily? [Section 104.34(a)]	○	○
b. Is the proximity of the alternative setting to those persons' homes taken into account? [Section 104.34(a)]	○	○
2. If you operate a facility identifiable as being for persons with disabilities, have you ensured that the facility and services and activities provided there are comparable to other facilities, services and activities that you operate? [Section 104.34(c)]	○	○
NONACADEMIC SERVICES		
1. In the provision of nonacademic and extracurricular services and activities:		
a. Are students with disabilities provided these services in a manner that will afford them equal opportunity for participation? [Section 104.37(a)(1)]	○	○
b. Are students with disabilities furnished the opportunity to participate with persons without disabilities to the maximum extent appropriate?	○	○
2. Are personal, academic or vocational counseling, guidance and placement services provided to students without discrimination on the basis of disability? [Section 104.34(b)]	○	○
3. Are these services provided in such a way that students with disabilities are not counseled toward more restrictive career objectives than are students without disabilities with similar interests and abilities? [Section 104.37(b)]	○	○

	Yes	No
4. Are physical education courses, athletics and similar programs and activities provided to students without discrimination? [Section 104.37(c)(1)]	○	○
5. If separate or different physical education and athletic activities are offered to students with disabilities than are offered to students without disabilities:		
a. Are students with disabilities furnished the opportunity to participate in activities with students without disabilities to the maximum extent appropriate to the needs of these students with disabilities? [Section 104.37(c)(2)]	○	○
b. Are students with disabilities furnished the opportunity to compete for teams and participate in courses that are not separate or different? [Section 104.37(c)(2)]	○	○

EVALUATION AND PLACEMENT

1. Are all tests and other evaluation materials validated for the specific purpose for which they are used? [Section 104.35(b)(1)]	○	○
2. Are all tests and other evaluation materials administered:		
a. By trained personnel?	○	○
b. In conformance with the instructions provided by their producer?	○	○
3. Do tests and other evaluation materials include those tailored to assess specific areas of educational need and not merely those which are designed to provide a single general intelligence quotient? [Section 104.35(b)(2)]	○	○
4. Are tests selected and administered so as best to ensure an accurate reflection of the student's aptitude or achievement level, or whatever other factor the test purports to measure, rather than any impaired sensory, manual, or speaking skills (except where those skills are the factors that the test purports to measure)? [Section 104.35(b)(3)]	○	○
5. For any person who, because of disability, needs or is believed to need special education or related services, is an evaluation (in accordance with the requirements described in Questions 1 through 4 above) conducted before any action is taken with respect to the special education program and any subsequent significant change in placement? [Section 104.35(a)]	○	○

	Yes	No
6. In interpreting evaluation data and making placement decisions:		
a. Have you drawn upon a variety of sources and types of information, including:		
• Aptitude tests?	○	○
• Achievement tests?	○	○
• Teacher recommendations?	○	○
• Physical conditions?	○	○
• Social or cultural background?	○	○
• Adaptive behavior? [Section 104.35(c)(1)]	○	○
b. Does the group participating in placement decisions include persons who are knowledgeable:		
• About the child/ward?	○	○
• About the meaning of evaluation data?	○	○
• About the placement options?	○	○
c. Are procedures established in treating information to ensure that:		
• All information is documented?	○	○
• All information is carefully considered? [Section 104.35(c)(2)]	○	○
d. Is the placement decision made in conformity with Section 104.34? [Section 104.35(c)(4)]	○	○
7. Are periodic re-evaluations (in accordance with the requirements described in Questions 1 through 5 above) conducted for students who have been provided special education and related services? [Section 104.35(d)]	○	○

	Yes	No

PROCEDURAL SAFEGUARDS

1. Are parents/guardians given prior notice of any action taken regarding identification, evaluation or educational placement of their child/ward with a disability? (Section 104.36) ○ ○

2. Are all records relevant to the identification, evaluation or educational placement of a student with a disability made available to such students', parents/guardians? (Section 104.36) ○ ○

3. With regard to any action concerning identification, evaluation or educational placement, are parents/guardians of students with disabilities furnished the opportunity:

   a. To participate in an impartial hearing? ○ ○

   b. To be represented by counsel? ○ ○

   c. To have access to a review procedure? ○ ○

PRESCHOOL AND ADULT EDUCATION PROGRAMS

1. If the recipient operates a preschool education or day care program or activity:

   a. Have procedures been established to prohibit the exclusion of qualified persons with disabilities, on the basis of disability, from the program activity? ○ ○

   b. In determining the aids, benefits or services to be provided under the program or activity, have procedures been established for taking into account the needs of qualified persons with disabilities? (Section 104.38) ○ ○

PRIVATE EDUCATION PROGRAMS

	Yes	No
1. For all recipients who operate private elementary and/or secondary programs:		
a. Have procedures been established to ensure that qualified persons with disabilities are not excluded if the person can, with minor program adjustments, be provided an appropriate education?	○	○
b. Have procedures been established to ensure that you do not charge more for providing an appropriate education to persons with disabilities than is charged for educating persons without disabilities, except to the extent that any additional charge is justified by a substantial increase in cost for providing services to persons with disabilities? [Section 104.39(b)]	○	○
c. Have procedures been established to ensure compliance with the provisions of:		
• Section 104.34?	○	○
• Section 104.37?	○	○
• Section 104.38? [Section 104.39(c)]	○	○
2. Also, for private elementary and secondary program recipients that operate special education programs, have procedures been established also to ensure compliance with:		
a. Section 104.35?	○	○
b. Section 104.36? [Section 104.39(c)]	○	○

INSTITUTIONAL SECTION 504 SELF-EVALUATION
SUMMARY REPORT FORM FORMAT

_____ _____
(form #) (date)

I. PRELIMINARY INFORMATION

Noncompliance identified:

Action to be taken:

Person responsible for completion (include telephone number):

Procedures to be followed:

Data or information required:

Schedule for completion (include individual steps):

Projected impact on the institution:

Relationship to "outside" organizations or persons-

Policy changes-

Staffing considerations-

Space or facility needs-

Communications needs-

Equipment, supply or vehicle needs-

Cost factors-

Other considerations:_____

II. INTERIM COMMENTS ON PROGRESS TOWARD COMPLETION

III. FINAL INFORMATION

Date action was completed _____

Action that was taken:

Actual impact on the institution:

Relationship to "outside" organizations or persons -

Policy changes -

Staffing considerations -

Space or facility needs -

Communications needs -

Equipment, supply or vehicle needs -

Cost factors -

Other considerations:

IV. Describe steps that will be taken to ensure that the policy, practice or procedure developed as a result of this action will be followed in the future. Describe also any steps that will be taken to monitor future action.

V. (If applicable) Describe any additional "voluntary" steps that will be taken to eliminate the effects of past discrimination.

TITLE II SELF-EVALUATION

This self-evaluation is based upon the Federal Regulations and literature from the Federal Office for Civil Rights and the Office of Career and Technical Education. There are many forms of evaluation on the market today.

Equal Treatment

Have you ever excluded an individual with a disability from participation in any services, programs, or activities because of the disability? (a) Yes No

Have you ever denied an individual with a disability the benefits of any services, programs, or activities simply because the person had a disability? (a) Yes No

Opportunity

Has a person with a disability ever been denied the opportunity to participate in or benefit from an aid, benefit, or service provided either directly or through contractual, licensing, or other arrangements? (Be certain to check all contracts and agreements.) (b-1-I) (504) Yes No

Have the aids, benefits, and services provided to persons with disabilities been equal to those provided to others? (b-1-ii) (504) Yes No

Are the aids, benefits, and services provided to persons with disabilities as effective in affording equal opportunity to obtain the same result, to gain the same benefit, or to reach the same level of achievement as those provided to others? (b-1-iii) (504) Yes No

Are students with disabilities achieving at the same level as students without disabilities? (b-1-iii) Yes No

Are MEAP scores for students with and without disabilities comparable? Yes No

Integrated Setting

If any aids, benefits, or services are separate or different, have they been necessary to ensure that the aids, benefits, or services are as effective as those provided to others? (b-1-iv) Yes No

In making efforts to provide equal opportunities through separate programs, has any qualified individual with a disability ever been denied the opportunity to participate in services, programs, or activities which are not separate? (b-2) Yes No

Are individuals ever required to accept an accommodation, aid, service, opportunity, or benefit that he or she chooses not to accept? (e) Yes No

Are services, programs, and activities administered in the most integrated setting appropriate to the needs of qualified individuals with disabilities? (d) Yes No

Are qualified individuals with a disability in any way limited in the enjoyment of any right, privilege, advantage, or opportunity enjoyed by others receiving the aid, benefit, or service? (b-1-vii) Yes No

Administration

Do criteria or methods of administration, either through written policies or actual practice — (b-3)

- ✦ Subject qualified individuals to discrimination on the basis of disability? Yes No
- ✦ Have the purpose or effect of defeating or substantially impairing accomplishment of the objectives of the public entity's program with respect to individuals with disabilities? Yes No
- ✦ Perpetuate the discrimination of another public entity if both public entities are subject to common administrative control or are agencies of the same State? Yes No

Are any charges placed on individuals with disabilities to cover the costs of measures, such as the provision of auxiliary aids or program accessibility, that are required to provide that individual or group with the nondiscriminatory treatment required by the ADA? (f) Yes No

Is any person or entity excluded or otherwise denied equal services, programs, or activities because of a known relationship or association with an individual with a disability? (g) Yes No

Do you provide significant assistance to any agency, organization or person that discriminates on the basis of disability in providing any aid, benefit, or service to beneficiaries of your program? (b-1-v) (504) Yes No

Do the criteria used in the selection of procurement contractors subject qualified individuals with disabilities to discrimination on the basis of disability? (b-5) Yes No

Licensing or Certification Programs

Is your licensing or certification program **administered** in a manner that subjects qualified individuals with disabilities to discrimination on the basis of disability? (b-6) Yes No

Do **eligibility criteria** screen out or tend to screen out an individual with a disability or any class of individuals with disabilities from fully and equally enjoying any service, program, or activity? (b-8) (504) Yes No

If yes, can these criteria be shown to be necessary for the provision of the service, program, or activity being offered. Yes No

Do the **requirements** for the programs or activities of licensees or certified entities subject qualified individuals with disabilities to discrimination on the basis of disability? (b-6) Yes No

Do your licensing or certification programs enroll qualified individuals with disabilities (those that meet the *essential eligibility requirements*)? (504) Yes No

How many qualified individuals with disabilities have completed a licensing or certification program in the last year? ___

Do you provide any benefits, services, or advantages to individuals with disabilities, or to a particular class of individuals with disabilities, beyond those required? (504) Yes No

Boards/Meetings/Public Gatherings

Are qualified individuals with a disability denied the opportunity to participate as a member of planning or advisory boards? (b-1-vi) Yes No

Do qualified individuals with a disability participate as a member of planning or advisory boards? (b-1-vi) Yes No

Are meetings, school activities, hearings, and conferences held in accessible locations? Yes No

Are interpreters, readers, and/or adaptive equipment provided in an expeditious manner, when requested, for meetings, interviews, conferences, public appearances by agency officials, and hearings? Yes No

Are assistive listening devices or other means available for individuals with hearing impairments who do not read sign language? Yes No

Illegal Use of Drugs - 35.131

Do your policies and procedures for illegal use of drugs allow for an individual who is not engaging in current illegal use of drugs and who (a-2-I-iii)–

- Has successfully completed a supervised drug rehabilitation program or has otherwise been rehabilitated successfully. Yes No
- Is participating in a supervised rehabilitation program. Yes No
- Is erroneously regarded as engaging in such use. Yes No

Health and Drug Rehabilitation Services

Have health services usually provided ever been denied to an individual otherwise entitled to such services on the basis of illegal use of drugs? (b-1) Yes No

Does your drug rehabilitation or treatment program deny participation to individuals who engage in illegal use of drugs while they are in the program? (b-2) Yes No

Drug Testing

Has your entity adopted or does it administer a policy or procedure, such as drug testing, which is designed to ensure that an individual who formerly engaged in the illegal use of drugs is not currently engaging in the illegal use of drugs? (c-1-ok) Yes No

Program Accessibility

Are your facilities accessible and usable by individuals with disabilities? Yes No

Does the location of your facility (b-4) —

Have the effect of excluding individuals with disabilities from, denying them the benefits of, or otherwise subjecting them to discrimination? Yes No

Have the purpose or effect of defeating or substantially impairing the accomplishment of the objectives of the service, program, or activity with respect to individuals with disabilities? Yes No

Existing Facilities - 35.150

Is each service, program, or activity, when viewed in its entirety, readily accessible to and usable by individuals with disabilities? (a) Yes No

If you believe that a proposed action would fundamentally alter the service, program, or activity or would result in undue financial and administrative burdens, have you complied with each of the following? (a-3)

- Were all resources available for use in the funding and operation of the service, program, or activity considered? Yes No
- Was the decision made by the head of your entity or her or his designee after consideration of all resources? Yes No
- Is there a written statement of the reasons for reaching that conclusion? Yes No
- Has any other action that would not result in such an alteration or burden been taken to ensure that individuals with disabilities receive the benefits or services provided by the public entity? Yes No

Check the methods of accessibility used by your entity. (b-1)

- ❑ Redesign of equipment
- ❑ Reassignment of aides to beneficiaries
- ❑ Home visits
- ❑ Delivery of services at alternate accessible sites
- ❑ Alteration of existing facilities
- ❑ Construction of new facilities
- ❑ Use of accessible rolling stock or other conveyances
- ❑ Other (specify) _____

Have methods that offer services, programs and activities to qualified individuals with disabilities in the most integrated setting appropriate been given priority? (b-1) Yes No

Historic Preservation

If you have a historic preservation program, check the statutes under 35.150 (b-2).

New Construction and Alterations 35.151

Are all facilities or parts of facilities constructed or altered since January 26, 1992 accessible? (a, b) Yes No

Are ADAAG or UFAS standards being used by your facility? Yes No
(Note: Use of two standards is a departure from the proposed rule.)

Are there curb ramps at any intersection of a newly-constructed or altered street, road, or highway to a street-level pedestrian walkway? (e) Yes No

Maintenance of Accessible Features - 35.133

Can you describe the methods established to maintain equipment required for use and accessibility by persons with disabilities in operable working condition? (a) Yes No

Can you describe the methods used to maintain features of your facility required for use and accessibility by persons with disabilities, such as accessible routes? (a) Yes No

[For the previous two items, it would be advisable to have a record of these methods.]

Communications

Are communications with applicants, participants, and members of the public with disabilities as effective as communications with others? (a) Yes No

Are auxiliary aids and services used by your agency to afford individuals with disabilities an equal opportunity to participate in and enjoy the benefits of your services, programs, or activities? (b-1)

Aural Deliveries
- ❑ Qualified interpreters
- ❑ Note takers
- ❑ Transcription services
- ❑ Written materials
- ❑ Telephone handset amplifiers
- ❑ Assistive listening devices
- ❑ Assistive listening systems
- ❑ Telephones compatible with hearing aids
- ❑ Closed-caption decoders
- ❑ Open- and closed-captioning
- ❑ Telecommunications devices for deaf persons (TDD's)
- ❑ Videotext displays
- ❑ Other effective methods of making aurally-delivered materials available

Visual Deliveries
- ❑ Qualified readers
- ❑ Taped texts
- ❑ Audio recordings
- ❑ Brailled materials
- ❑ Large print materials
- ❑ Other effective methods of making visually-delivered materials available

- ❑ Acquisition or modification of equipment or devices

Are individuals with disabilities provided an opportunity to request the auxiliary aids and services of their choice? (b-2) Yes No

Is this choice given primary consideration? (b-2) Yes No

Telecommunications Devices for the Deaf (TDD's) - 35.161

Is a TDD or other effective telecommunication system used to communicate with individuals with impaired hearing or speech? Yes No

TDD: Location of TDDs: _____

Telephone number of TDD: _____

Directories in which the TDD number is listed: _____

Relay: Company & type of relay services: _____

If your entity offers a telephone service, such as a crisis line, is a TDD available? Yes No

Telephone Emergency Services - 35.162

Are your telephone emergency services, including 911, provided to individuals who use TDD's and computer modems? Yes No

Information and Signage - 35.163

Have you ensured that interested persons, including persons with impaired vision or hearing, can obtain information as to the existence and location of accessible services, activities, and facilities? (a) Yes No

Are signs posted to indicate the location of any TDD-equipped pay phones or portable TDD's? Yes No

In any large buildings, is there directional signage indicating the location of available TDD's adjacent to banks of telephones that do not contain a TDD? Yes No

Is there signage at all inaccessible entrances to each facility directing users to an accessible entrance or to a location at which they can obtain information about accessible facilities? (b) Yes No

Is the international symbol for accessibility used at each accessible entrance of a facility? (b) Yes No

Documents/Publications/Audio-Visual Presentations

Notice

Does each publication of your agency contain a notice of nondiscrimination? Yes No

- ✦ Handbooks
- ✦ Manuals
- ✦ Pamphlets
- ✦ Posters
- ✦ Recruitment materials
- ✦ Application forms
- ✦ TV or Radio Broadcasts

Do notices to employees and applicants include language prohibiting intimidation, coercion or harassment of individuals exercising their rights under the ADA? Yes No

Are all sources available in accessible formats? Yes No

Is the content, including language and pictorial displays, consistent with sensitivity to and inclusion of individuals with disabilities? Yes No

Can you identify the person responsible for their continued availability and updating. Yes No

Designated Responsible Employee - 35.107(a)

Has at least one employee been designated to coordinate efforts to comply with and carry out your agency's responsibilities under Title II, including any investigation of any complaints? Yes No

Adoption of Grievance Procedures - 35.107(b)

Has your agency adopted grievance procedures which provide for prompt and equitable resolution of complaints alleging any action that would be prohibited by Title II? Yes No

Access

Are documents and publications available to sight-impaired persons through audiotape, large print, braille, computer disk or other formats used? Yes No

Is the content of documents and publications provided in simple, easy-to-understand language for persons with learning disabilities or low reading levels? Yes No

Are audio-visual presentations accessible to person with disabilities? Yes No

Portrayal

Do publications and audio-visual presentations portray individuals with disabilities in a positive, inclusive way? Yes No

Do they combat stereotypes avoiding portrayal in an offensive or demeaning way (e.g., stereotypic language such as wheelchair-bound, victim, deaf and dumb)? Yes No

Self-Evaluation Report

Coordinator : Completion Date: _____

Persons involved in assessment:

_____ _____

_____ _____

_____ _____

Disabilities represented:

_____ _____

_____ _____

Interested persons consulted:

_____ _____

_____ _____

_____ _____

Responsible Person:

1. List steps taken to ensure that persons with disabilities and other interested persons had an opportunity to comment on the self-evaluation process:

   _____

   _____

   _____

2. Complete a table such as the one which follows for <u>every</u> service, program and activity provided by your agency. Use the previous review list to individually evaluate each service, program and activity your agency provides.

Program, Services and Activity Assessment

Service, Program or Activity	Policies and Practices Reviewed*	Problems Identified (Including Physical Barriers)	Modifications Made

*Policies and practices are reflected in laws, ordinances, eligibility and admission criteria, regulations, administrative manuals or guides, policy directives, and memoranda. Other practices, however, may not be recorded and may be based on local custom.

Services and Activities check that:

- Administration of each will be free from discrimination.
- Communications will reach all persons (including those with hearing and sight impairments).
- Instructions for service application are effective for persons with disabilities.

3. List steps to ensure that each service and activity is equally effective and usable by persons with disabilities.

Services and Activities	Steps to Ensure Effectiveness and Usability
✦ Counseling services	
✦ Job placement	
✦ Transportation services	
✦ Health services	
✦ Housing	
✦ Financial aid	
✦ Food services	
✦ Recreational services	
✦ Athletic activities	
✦ Social activities	

Equal Treatment

Assess whether the aids, benefits, and services provided to persons with disabilities are as effective in affording equal opportunity to obtain the same result, to gain the same benefit, or to reach the same level of achievement as those provided to others.

4. Compare current average MEAP scores of both groups.

Average MEAP Scores	Student Scores	
	with Disabilities	without Disabilities
Reading		
Math		
Science		

5. If not as effective, what additional aids, benefits, or services are necessary to ensure they reach the same level of achievement.

_____

_____

_____

_____

_____

6. List the **reasonable modifications** in policies, practices, or procedures you made in the last year to avoid discrimination on the basis of disability. (b-7)

_____

_____

_____

_____

_____

If none could be listed, explain why not.

_____

_____

7. Identify any modifications not made on the basis of fundamentally altering the nature of the service, program, or activity.

Boards/Meetings/Public Gatherings

8. List qualified individuals with a disability who have participated on planning or advisory boards for the past three years.

Planning or Advisory Board	Number of Members	Qualified Individual	Disability

9. **If none can be listed,** identify potential problems with the selection process for participants.

10. Identify steps taken to ensure that communications relevant to board formation reach qualified individuals, including the use of alternative formats.

11. Describe policies and procedures in place or to be implemented to ensure access to public meetings for persons with disabilities.

Program Accessibility

If physical barriers to access exist, be sure to cover how these programs will be made accessible when viewed in their entirety. Structural changes should be a part of the transition plan.

Existing Facilities - 35.150

If you believe that a proposed action would fundamentally alter the service, program, or activity or would result in undue financial and administrative burdens, attach a written statement of the reasons for reaching that conclusion.

12. Check the methods of accessibility used by your entity. (b-1)

- ❑ Redesign of equipment
- ❑ Reassignment of aides to beneficiaries
- ❑ Home visits
- ❑ Delivery of services at alternate accessible sites
- ❑ Alteration of existing facilities
- ❑ Construction of new facilities
- ❑ Use of accessible rolling stock or other conveyances
- ❑ Other (specify) _____

Equipment

13. Identify equipment and devices (such as elevators or automatic doors) used by the public and assess the equipment to ensure its usability by persons with disabilities, particularly individuals with hearing, visual, and manual impairments.

14. Review policies to determine if they ensure that equipment Is maintained in operable working order.

Equipment and Devices	Problems Encountered	Maintenance Schedule

Communication Services

15. Check the following auxiliary aids and services your entity uses to afford individuals with disabilities an equal opportunity to participate in and enjoy the benefits of your services, programs, or activities. (b-1)

Aural Deliveries

- ❑ Qualified interpreters
- ❑ Note takers
- ❑ Transcription services
- ❑ Written materials
- ❑ Telephone handset amplifiers
- ❑ Assistive listening devices
- ❑ Assistive listening systems
- ❑ Telephones compatible with hearing aids
- ❑ Closed-caption decoders
- ❑ Open- and closed-captioning
- ❑ Telecommunications devices for deaf persons (TDD's)
- ❑ Videotext displays
- ❑ Other effective methods of making aurally-delivered materials available

Visual Deliveries

- ❑ Qualified readers
- ❑ Taped texts
- ❑ Audio recordings
- ❑ Brailled materials
- ❑ Large print materials
- ❑ Other effective methods of making visually-delivered materials available

- ❑ Acquisition or modification of equipment or devices

16. List steps taken to make participants and applicants aware of available auxiliary and related aids and services.

_____

_____

_____

_____

17. Identify the method developed for securing the following services.

- ✦ Provisions for readers for individuals with visual impairments.

  _____

  _____

- ✦ Provision for interpreters or other alternative communication measures, as appropriate for individuals with hearing impairments.

  _____

  _____

Telecommunications Devices for the Deaf (TDD's) - 35.161

TDD: Location of TDDs: _____

Telephone number of TDD: _____

Directories in which the TDD number is listed: _____

Relay: Company & type of relay services: _____

Information and Signage - 35.163

18. List additional information that may be needed to inform interested persons, including persons with impaired vision or hearing, of the existence and location of accessible services, activities, and facilities.

_____

_____

19. Identify the location of signage needed.

Signage Needed	Locations Needed
Signs posted to indicate the location of any TDD-equipped pay phones or portable TDD's	
Directional signage indicating the location of available TDD's adjacent to banks of telephones that do not contain a TDD.	
Signage **at inaccessible entrances** to each facility directing users to an accessible entrance or to a location at which they can obtain information about accessible facilities.	
International symbol for accessibility **at each accessible entrance** of a facility.	

Documents/Publications/Audio-Visual Presentations

20. List all publications of your agency or sources in which applicants, participants, beneficiaries, and other interested persons are informed of their rights and protections afforded by the ADA, such as:

Types of Documents	Agency Documents	
✦ Catalogs		
✦ Handbooks		
✦ Manuals		
✦ Pamphlets		
✦ Posters		
✦ Recruitment materials		
✦ Application forms		
✦ TV or Radio Broadcasts		

21. Identify all publications in which the name, office address, and telephone number of the employee designated to coordinate efforts to comply with and carry out your agency's responsibilities under Title II is made available to all interested individuals.

_____

_____

_____

_____

22. Review all materials to ensure that persons with disabilities are:

- Portrayed in a positive, inclusive way in proportion to their representation in the agency.
- Not portrayed in an offensive or demeaning way. Example: stereotypic language in publication such as wheelchair-bound, victim, deaf and dumb.

Documents	Portrayal Problems	Alternate Formats Available	Easy Format-LD Yes No

23. List all audio-visual presentations (films, videotapes, or television), whether or not they are captioned, and if not captioned, indicate what steps have been taken to ensure that hearing-impaired persons can benefit from these or similar presentations:

A-V Presentation Title	Captioned Yes	Captioned No	If No--Describe Steps Taken to Ensure Accessibility

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SECTION H
TRANSITION PLANS FOR SECTION 504 AND TITLE II

SECTION 504 TRANSITION PLAN

Section 504 requires that all programs and activities of an agency/institution, when viewed in their entirety, be accessible to persons with disabilities. Section 504 also requires the development of transition plans to demonstrate "Program Accessibility".

Program Accessibility

The dates for achieving program accessibility have long since past. Programs must be accessible to all students, including those with disabilities. The regulation states

SECTION 504 - SUBPART C, SECTION 104.21

> *"No qualified handicapped person shall, because a recipient's facilities are inaccessible to or unusable by handicapped persons, be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination under any program or activity to which this part applies."*

Section IV(N) of the *Vocational Education Programs Guidelines* also stipulates that recipients may not deny students with disabilities access to vocational education programs or courses and, if necessary, must:

- "modify instructional equipment,
- modify or adapt the manner in which the courses are offered,
- **house the program in facilities that are readily accessible to mobility impaired students or alter facilities to make them readily accessible to mobility impaired students,**
- provide auxiliary aids that effectively make lectures and necessary materials available to postsecondary students with disabilities, and
- provide related aids or services that assure secondary students an appropriate education."

It is therefore assumed that, depending on the case(s), achieving accessibility may require programmatic and/or physical modifications. Such modifications should be thought of as serving not only those who are currently enrolled or employed, but prospective students and employees as well.

Policies, practices and procedures involving access in all programs and activities, including counseling, student recruitment, promotional activities, placement, etc., must also be objectively examined. These have been covered in the Self-Evaluation section.

The **physical facility** and its components must be evaluated to determine modifications needed to comply with the Section 504 Regulations and the *Vocational Education Programs Guidelines* mandate that: "Such facilities must be adapted or modified to the extent necessary to make the vocational education program readily accessible to persons with disabilities." Adaptations and modifications should be developed through a Transition Plan if not immediately achievable. [VI(D)]

Timelines

Recipients are reminded of two Section 504 deadlines regarding program accessibility that have passed. They are:

(1) By August 2, 1977, program accessibility was to have been achieved for all programs and activities, except where alteration or modification of existing facility or construction of new ones was required.

(2) By December 2, 1977, institutions were to have completed a Transition Plan that, at a minimum:

(a) identified physical obstacles that limit accessibility.
(b) describes in detail the methods that will be used to make facilities accessibility.
(c) specified the yearly schedule for completion (by June 30, 1980) of steps necessary to achieve full program accessibility.
(d) indicated the person(s) responsible for implementation of the plan.

Since these deadlines have passed, it is imperative that an agency/institution be able to document its efforts to achieve program accessibility. This is especially significant in view of the fact that there is no provision that allows for waivers of the program accessibility requirements and recipients are expected to comply.

A portion of the "Barrier-Free Design School Building Survey Instrument" is presented (on next page) as an example of a number of instruments which are available for recipients to use in evaluating facilities. Instruments such as this are designed to cover a wide range of existing barriers which may or may not apply to a given setting. Thus, the recipient is expected to make whatever modifications necessary to fit the needs and conditions of its agency or institution.

Other instruments and formats which can be used to evaluate a physical facility can be obtained from:

Easter Seal Society
American National Standards Institute
The Great Lakes ADA Center (1-800-949-4232)

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Barrier-Free Design
School Building Survey

by the
Michigan Center for a
Barrier-Free Environment
22646 Woodward Avenue
Ferndale, Michigan 48220

PARKING LOT OR STUDENT DROP-OFF AREA

SCHOOL DIST. _____

SCHOOL _____

SURVEYOR _____

DROP-OFF AREA or
PARKING LOT # _____

LOCATION _____

_____

Fill out a separate form for each parking lot and/or drop-off area.

( ) PARKING LOT ( ) BUS DROP-OFF AREA ( ) CAR DROP-OFF AREA

Parking Lot Use

( ) Student
( ) Staff
( ) Faculty
( ) Visitors
( ) Sports Area

Total number of parking spaces this lot _____

Required number of accessible spaces per the following table _____

No. of feet to the closest accessible entrance _____
(*See* "Building Entrance", Form 2D, for accessible entrance requirements.)

Code number or letter assigned to that entrance _____

TOTAL NUMBER OF CARS	NUMBER OF ACQUIRED ACCESSIBLE SPACES
Up to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2% of total
Over 1,000	20 plus 1 for each 100 over 1,000

Sketch each parking lot on the reverse side of this form or use a "Sketch Sheet", Form 1C.

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PARKING LOT OR STUDENT DROP-OFF AREA

SCHOOL DIST. _____

SCHOOL _____

SURVEYOR _____

	NA	YES	NO	COMMENT
SPACES				
- If there are parking spaces...				
- Are there any 12' wide parking spaces? Quantity _____				
- Are there as many or more 12' wide parking spaces than the number of required accessible spaces listed above?				
- Are these spaces within 100' of the closest accessible entrance?				
CURB CUTS OR PATHWAY RAMPS				
- Are there curb cuts or ramps from the accessible parking spaces or drop-off area to the sidewalk leading to the accessible entrance?				
- Is the cut or ramp 42" wide or more?				
- Is the slope 1 in 12 or less?				
- Is the surface of the curb cut or pathway ramp textured?				
- Are there curb cuts rather than ramps extending beyond the curb?				
SIGNS - If there are parking spaces...				
- Are there signs designating the accessible spaces as being for the physically disabled?				
- Are the signs mounted between 36" and 72" from the grade?				
- Is the closest accessible entrance labeled with the international symbol of accessibility?				
- Is the closest accessible entrance visible from the area being surveyed?				
- If no, are there directional signs to the closest accessible entrance?				

BUILDING APPROACH AND ENTRANCE

SCHOOL DIST. _____

SCHOOL _____

SURVEYOR _____

AREA SERVED
( ) Parking lot #
( ) Bus Drop-off area #
( ) Car Drop-off area #
( ) Sidewalk only

	NA	YES	NO	COMMENT
WALKS				
- Is there a hard surfaced walk from the area served to the entrance?				
Material ( ) Concrete ( ) Asphalt ( ) Other				
- Is the walk 48" wide or more?				
- Is the walk level or sloped, rather than having any steps?				
- If the walk is sloped, is it sloped 1 in 20 or less?				
(If sloped more than 1 in 20, fill out a "Ramp" Form 4B)				
- Are all changes in sidewalk level, such as joints or bumps, ½" or less in height?				
- Is the walk covered with a canopy or roof from the area served to the entrance?				
FLOOR GRATES AND MATS				
- Is the floor void of floor gratings?				
- If there is a grate, are the openings in the grate ½" high or less?				
- Is it recessed?				
- If not recessed, is it ½" high or less?				
- If not recessed, does it have tapered edges?				
- Is it a continuous link mat rather than checkerboard or staggered link with holes between?				

CLASSROOM OR WORKROOM

SCHOOL DIST. _____

SCHOOL _____

SURVEYOR _____

This page applies to Sr./Adult only. Refer to other sheets for Preschool, Lower El & Upper El/Jr requirements.

TABLE (for Sr./Adult use only)	NA	YES	NO	COMMENT
If there are tables, does one of them...				
- have the top between 29" and 33" from the floor?				
- have a space below 28" or more clear from the floor?				
- have a spacing between the legs 26" or more in width?				
- have an aisle width meeting with the requirements of the table at the bottom of this page?				
DESK (for Sr./Adult use only)- If there are desks, does one of them (without an attached seat)...				
- have the top between 29" or more clear from the floor? _____				
- have a space below 28" or more clear from the floor? _____				
- have a spacing between the legs 26" or more in width? _____				
- have an aisle width meeting with the requirements of the table at the bottom of this page?				
WORK COUNTER (for Sr./Adult use only) - If there are work counters, does one of them (without an attached seat)...				
- have the top between 29" or more clear from the floor? _____				
- have a space below 28" or more clear from the floor? _____				
- have a spacing between the legs 26" or more in width? _____				
- have an aisle width meeting with the requirements of the table at the bottom of this page?				

REQUIRED AISLES

If the leg spacing is....	the required aisle width is...
26"-32"	5' minimum
32"-40"	4' minimum
40" or more	3' minimum

CLASSROOM OR WORKROOM

SCHOOL DIST. _____

SCHOOL _____

SURVEYOR _____

	NA	YES	NO	COMMENT
SINKS (con't) Sr./Adult - Does at least one of them...				
- have the top between 29" or more clear from the floor? _____				
- have a space below 28" or more clear from the floor? _____				
- have a spacing between the legs 26" or more in width? _____				
- have an aisle width meeting with the requirements of the table found below?				
REQUIRED AISLES If the clear width below is.... / the required aisle width is... 26"-32" — 5' minimum 32"-40" — 4' minimum 40" or more — 3' minimum				
- Do all sinks have a maximum hot water temperature of 120°F (50°C) or less?				
- Do all sinks have lever controls or time-delay push controls on the faucets rather than the knobs?				
- Do all sinks which have the undersides exposed have the trap, hot water supply piping and underside of the basin insulated?				
BASE CABINETS				
- If there are base cabinets, is the aisle width in front of the cabinet 4' or more to the cabinet face and 5' or more for the first 9" from the floor?				
(If the cabinets do not have 9" high bases, the 5' minimum could then apply to the cabinet faces themselves.)				
- Can the cabinet be opened without having to grasp a handle?				

Sample Transition Plan

Once the assessment for accessibility has been completed and it has been determined that structural changes are needed to make programs and activities accessible, the recipient must develop a transition plan as specified in Subpart C, 104.22(e) of the Section 504 Regulation.

Such a plan sets forth the logistics of renovation and construction. The plan is required, at a minimum, to:

(1) Identify physical obstacles in the recipient's facilities that limit the accessibility of its program or activity to persons with disabilities;

(2) Describe in detail the methods that will be used to make the facilities accessible;

(3) Specify the schedule for taking the steps necessary to achieve full program accessibility and, if the time period of the transition plan is longer than one year, identify steps that will be taken during each year of the transition period; and

(4) Indicate the person(s) responsible for implementation of the plan.

Transition Plans are to be developed with the assistance of interested persons, including persons with disabilities or organizations representing persons with disabilities. A copy of the Transition Plan is to be made available for public inspection.

SAMPLE TRANSITION PLAN

Transition Plan for 1988-89 academic year

Person Responsible for Implementation of Transition Plan:
David A. Jones, Assistant Superintendent

Breakdown, by building, of the barriers to persons with disabilities, methods for elimination of such barriers, costs and timing of renovations are as follows:

High School

1. Six curb cuts are needed in the front office area and the gymnasium area.

   Cost: $6,000.00 Timing: by May 31, 1989

2. Accessible door mechanisms are needed for both the main entrance and the gym entrance.

   Cost: $1,500.00 Timing: by September 30, 1988

3. Identification and marking of accessible restrooms are to be accomplished. This would require a men's and women's restroom near the office area and near the gymnasium area with clear identification as to their accessibility for persons with disabilities.
   a. Signs
   b. Moving partitions to meet the disability requirements.

   Cost: $3,025.00 Timing: by June 30, 1989

TITLE II TRANSITION PLAN

Title II requires that all services, programs and activities of an agency (public entity), when viewed in their entirety, be accessible to persons with disabilities. Section 504 and Title II also require the development of a transition plan to demonstrate "Program Accessibility".

Program Accessibility

Programs must be accessible to all students, including those with disabilities. The regulation states

TITLE II - SUBPART D, SECTION 35.149

"Except as otherwise provided in 35.150, no qualified individual with a disability shall, because a public entity's facilities are inaccessible to or unusable by individuals with disabilities, be excluded from participation in, or be denied the benefits of the services, programs or activities of a public entity, or be subjected to discrimination by any public entity."

Methods of Accessibility

Section 35.150 of Title II states that a public entity may comply with the requirements of this section through such means as:

- "redesign of equipment,
- reassignment of services to accessible buildings,
- assignment of aides to beneficiaries,
- home visits,
- delivery of services at alternate accessible sites,
- alteration of existing facilities and construction of new facilities,
- use of accessible rolling stock or other conveyances,
- or any other methods that result in making its services, programs or activities readily accessible to and usable by individuals with disabilities."

Section IV(N) of the *Vocational Education Programs Guidelines* also stipulates that recipients may not deny students with disabilities access to vocational education programs or courses and, if necessary, must:

- "modify instructional equipment,
- modify or adapt the manner in which the courses are offered,
- **house the program in facilities that are readily accessible to mobility impaired students or alter facilities to make them readily accessible to mobility impaired students,**
- provide auxiliary aids that effectively make lectures and necessary materials available to postsecondary students with disabilities, and
- provide related aids or services that assure secondary students an appropriate education."

It is therefore assumed that, depending on the case, achieving accessibility may require programmatic and/or physical modifications. Such modifications should be thought of as serving not only those who are currently enrolled or employed, but prospective students and employees as well.

Policies, practices and procedures involving access in all programs and activities, including counseling, student recruitment, promotional activities, placement, etc., must also be objectively examined. These have been covered in the Self-Evaluation section.

The **physical facility** and its components must be evaluated to determine modifications needed to make its programs, services and activities readily accessible to persons with disabilities. Adaptations and modifications should be developed through a Transition Plan if not immediately achievable. [VI(D)]

Timelines

A Transition Plan was to be developed by **July 26, 1992** which set forth the steps necessary to complete structural changes to the facilities undertaken to achieve program accessibility. Methods were to be used to inform interested persons, including individuals with disabilities or organizations representing disabilities, of the opportunity to participate in the development of the transition plan by submitting comments.

Content

The Transition Plan must accomplish the following:

- Identify physical obstacles in the public entity's facilities that limit the accessibility of its programs or activities to individuals with disabilities.
- Describe in detail the methods that will be used to make the facilities accessible.
- Specify the schedule for taking the steps necessary to achieve compliance with this section and, if the time period of the transition plan is longer than one year, identify steps that will be taken during each year of the transition period.
- Indicate the official responsible for implementation of the plan.
- Design all changes to be completed within five (5) years.

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Transition Plan
for Title II Program Accessibility

Coordinator : _____ Completion Date: _____

Persons involved in development:

_____ _____

_____ _____

_____ _____

Disabilities represented:

_____ _____

_____ _____

Interested persons consulted:

_____ _____

_____ _____

_____ _____

Official Responsible for Implementation: _____

Physical Obstacles	Methods or steps to attain accessibility.	Timelines

SECTION I
ASSISTANCE TO PERSONS WITH DISABILITIES

Identification and Location

Each public elementary or secondary education recipient is required annually to identify and locate every qualified person with a disability residing within the recipient's area of jurisdiction who is not receiving public education. The term "qualified handicapped person" is defined in Section 104.3(k)(1)(2) (3) and (4) of the Section 504 Regulations provided in this Guide.

Practices to identify and locate the persons with disabilities include:

1. Locating qualified individuals with disabilities annually through a town or local school census (if a census is a standard practice in the area and if census information is accessible).

2. Surveying parents/guardians to determine if there is a school-age individual not yet diagnosed, but suspected of having a disability. Parents/guardians are asked if they want their child/ward to be evaluated by the school district to determine whether special education and related services are needed. The parent/guardian signs a form that is forwarded to the Child Find Coordinator or to the school district unit that arranges for screening and evaluation.

3. Conducting a public awareness media campaign.

    - Techniques include radio and television announcements, brochures, posters, announcements published in newspapers and newsletters, telephone calls and presentations before community groups. Examples 1 and 2 provide such announcements in the form of letters to parents/guardians, doctors and other health service professionals.

    - Community groups and individuals could be asked to assist in the campaign. Hospitals, clinics, physicians' offices, organizations of persons with disabilities, churches and religious organizations, ethnic organizations, social service agencies, fraternal and professional organizations, schools, major employers, and retail establishments could be contacted.

4. Identifying children suspected of having a disability through routine screening procedures required for all students before entering kindergarten.

5. Identifying individuals with disabilities with the assistance of classroom teachers.

    - When a teacher observes that a child is functioning inadequately because of a suspected physical, emotional or mental condition, the teacher would complete a referral form regarding the problems the child is manifesting. The teacher would forward the referral form to the unit responsible for arranging evaluations.

Notification

Two types of notification must be provided annually: notification of a free, appropriate education, and of the recipient's duty regarding nondiscrimination. Each public elementary or secondary education recipient is required annually to take appropriate steps to notify persons with disabilities and their parents/guardians of the recipient's duty to provide free appropriate public education. The term "free appropriate public education" is described in Section 104.33 of the Section 504 Regulations provided in this Guide.

An attempt should be made to communicate the following messages to English and non-English speaking people:

- That the school district guarantees the right to a free appropriate education for all school-aged persons with disabilities.
- That the school district will arrange for free evaluation services for any child who is suspected of having a disability and of needing special education and related services.
- That parents/guardians may contact a designated unit for further information and/or refer their child/ward for an evaluation.

EXAMPLE 1

LETTER TO PARENTS/GUARDIANS

Dear Parent/Guardian:

Public Act 198 of 1971, the Mandatory Special Education Act, establishes the right of persons with disabilities, from birth through the age of 25, to equal opportunity within the public schools.

THIS MEANS THAT CHILDREN WITH DISABILITIES DO NOT NEED TO WAIT UNTIL THEY ARE SCHOOL AGE TO BENEFIT FROM SPECIAL EDUCATION SERVICES.

It is important that help be obtained for those with disabilities at the earliest possible age. In the State of Michigan, this help is free and is available through your public schools. A team of educational specialists evaluate the child to determine the type and degree of disability and the best kind of program placement. This evaluation often includes medical specialists.

Preprimary Special Education services are available for the:

MENTALLY IMPAIRED
EMOTIONALLY IMPAIRED
PHYSICALLY AND OTHERWISE HEALTH IMPAIRED (POHI)
HEARING IMPAIRED
VISUALLY IMPAIRED
SPEECH AND LANGUAGE IMPAIRED
SPECIFIC LEARNING DISABLED

So, if you have, or know of, a preschool child who may benefit from these services, call:

Name of Person Responsible
Office Address
Telephone Number

Sincerely,

EXAMPLE 2

LETTER TO AREA DOCTORS AND
OTHER HEALTH SERVICE PROFESSIONALS

Dear_____:

The Palmertown School District, in cooperation with other local school districts, seeks to provide educational services to all persons with disabilities from birth through age 25. We are making an effort to locate all persons who have not been identified, with special focus on babies and preschoolers residing in the local area.

Our diagnostic team consists of the following: physical therapist, occupational therapist, school psychologists, speech pathologist, social workers, educational coordinator.

Medical evaluations are sought when appropriate. Parents/guardians and all professionals involved meet or send reports to the Individualized Educational Planning Committee meeting. Here, eligibility is determined, developmental goals are planned and program placement is made. Some program alternatives include:

1. Center-based physical and/or occupational therapy.

2. Home-based programming where parents/guardians are given activities to do with their children/ward at home.

3. School programs available to children at 2 ½ to 3 years of age with parental/guardian consent.

We are available to help children with the following disabilities, either known or suspected, on a consulting or full service basis: mental impairment (retardation), emotional impairment, learning disabilities, speech and language impairment, physical or other health impairments.

If you have any questions or referrals, please contact me at (517) 555-5500. Patients/clients may also be referred by having the parents/guardians call the school district at (517) 555-5000. Thank you very much.

Sincerely,

Name of Person Responsible

Public elementary and secondary education recipients must take appropriate steps annually to notify persons with disabilities and their parents/guardians of the recipient's duty regarding nondiscrimination on the basis of disability.

The following practices are suggested to meet this obligation:

1. A handbook could be developed to describe the Section 504 Regulations.

   - Topics might include:

     - The right of qualified individuals with disabilities to an appropriate publicly-supported education.

     - The variety of educational placement options available.

     - Location, identification, evaluation and placement procedures, including a description of how the procedures are conducted, the types of personnel involved, the role of parents/guardians and their children/wards with disabilities, and the purpose of each procedure.

     - Procedural safeguards, such as the right to prior notice, the necessary content of each notice, access to records, hearing and review procedures, and the right to representation by counsel.

     - Relevant mandates of Public Law 94-142 and of State education laws.

     - Individual(s) and organizations to contact for further information.

   - The handbook could be distributed directly to school-age persons who are known to have disabilities and to their parents/guardians.

   - To reach parents/guardians of persons with disabilities not yet located and identified, the handbook could be made available at various locations within the community, such as physicians' offices and stores. This distribution may be a part of the school district's location efforts (see practices under "Identification and Notification").

   - The handbook could be printed in languages other than English for residents whose primary language is not English.

   - Large print, Braille and taped versions of the handbook could be made available to persons who cannot use regular printed material.

2. A telephone information line could be established so that persons could obtain information and schedule meetings with district personnel to discuss the rights and duties established by Section 504.

Provision of Vocational Education

Vocational education must be provided by the recipient to students with disabilities in either regular vocational education programs, regular vocational programs with special assistance, or special programs. Decisions regarding placement of a student with disabilities and participation in vocational education must be based upon the recommendation of the Individualized Educational Planning Committee (IEPC) for students with disabilities. This committee is expected to recommend what is best for the student rather than what is convenient for the recipient.

Vocational education and related services for the students with disabilities may be provided through an interagency delivery system involving the Michigan Rehabilitation Service, the Special Education Service, and the Office of Career and Technical Education. The following chart entitled, "Michigan Interagency Delivery System for Vocational Education and Related Services for Students with Disabilities" describes vocational education alternatives for students with disabilities. Recipients are expected to follow the guidelines presented for the alternatives.

In conjunction with these guidelines, recipients should ensure that:

1. students with disabilities are exposed to career information concerning occupations other than those requiring lower skills such as building maintenance, food service aides, etc.

2. students with disabilities are actively recruited for occupational programs commensurate with their ability.

3. entrance and other requirements be modified or adopted to accommodate students with disabilities.

4. students with disabilities are provided the opportunity to participate in job placement and work experience projects.

5. follow-up data on students with disabilities are collected and used to improve services.

Should further assistance in the design and implementation of this delivery system be needed, recipients may contact:

Supervisor
MI Jobs Commission
Michigan Rehabilitation Services
Box 30010
Lansing, MI 48909
(517) 373-4030

O.C.R. Consultant
MI Dept. of Education
Office of Career and Technical Education
Box 30009
Lansing, MI 48909
(517) 373-8358

Supervisor
MI Dept. of Education
Office of Special Education
Box 30008
Lansing, MI 48909
(517) 373-6326

MICHIGAN INTERAGENCY DELIVERY SYSTEM FOR VOCATIONAL EDUCATION
AND RELATED SERVICES FOR STUDENTS WITH DISABILITIES

Secondary Delivery System
Vocational Alternatives

GOAL	To provide a vocational education program necessary to prepare the individual for paid or unpaid employment.			
	REGULAR VOCATIONAL EDUCATION	ADAPTED VOCATIONAL EDUCATION	SPECIAL EDUCATION/ VOCATIONAL EDUCATION (SE/VE)	INDIVIDUALIZED VOCATIONAL TRAINING (IVT)
1. ELIGIBILITY	Any student that is expected to meet the minimum performance objectives (PO's)	Students with disabilities expected to meet the minimum performance objectives (PO's) with support services and instructional assistance.	Students with disabilities who can best be served in a special education/vocational education program.	Students with disabilities who can best be served in a community placement for individualized vocational education.
2. INSTRUCTIONAL	a. Minimum PO's (state-prescribed). b. Evaluation systems to determine when goals and objectives are met.	a. Additional and/or modified objectives based upon state-prescribed minimum PO's reported by the LEA in overall vocational education. b. Evaluation system is based on state performance objectives, either regular or modified.	a. Individual performance objectives based on vocational education minimum PO's are written for each student by the special education approved teacher. b. Evaluation system to determine when goals and objectives are met.	a. Individual performance objectives based on vocational education minimum PO's are written for each student by the special education approved teacher. b. Evaluation system to determine when goals and objectives are met.

	REGULAR VOCATIONAL EDUCATION	ADAPTED VOCATIONAL EDUCATION	SPECIAL EDUCATION/ VOCATIONAL EDUCATION (SE/VE)	INDIVIDUALIZED VOCATIONAL TRAINING (IVT)
3. INSTRUCTIONAL STAFF - TEACHING PERSONNEL AND ANCILLARY STAFF	a. Regular vocational education approved teacher funded by vocational education. b. Special education approved ancillary personnel with individuals assigned to their caseloads.	a. Regular vocational education approved teacher funded by vocational education. b. Special education approved ancillary personnel with individuals assigned to their caseloads.	Teacher with special education approval and, hopefully, vocational education certified as well. May be special education funded only if teaching personnel has special education approval.	a. Special education approved teacher is responsible for instruction. b. Community placement person, contracted by school.
4. INSTRUCTIONAL STAFF-TEACHER CONSULTANT	a. Special education approved instructional personnel with individuals assigned to their caseloads.	a. Special education approved instructional personnel with individuals assigned to their caseloads.	a. Special education approved instructional personnel with individuals assigned to their caseloads.	a. Special education approved instructional personnel with individuals assigned to their caseloads.
5. INSTRUCTIONAL AIDES AND HEALTH CARE AIDES	Special education may provide health care aides as required by the IEP.	Special education may provide health care aides as required by the IEP.	Instructional aides for special education personnel as provided in ISD Plan.	Instructional aides for special education personnel as provided in ISD Plan.
6. VOCATIONAL EDUCATION PARAPROFES-SIONALS	NA	Vocational education may fund a paraprofessional to assist a vocational education approved teacher.	TO BE PILOTED	TO BE PILOTED
7. MRS COUNSELOR	When the student is referred and determined eligible for services from Michigan Rehabilitation Services (MRS), the individualized written rehabilitation program (IWRP) must be written, including vocational goal and implementation plan which specifies the services to be provided by MRS and other agencies where appropriate.			

MICHIGAN INTERAGENCY DELIVERY SYSTEM FOR VOCATIONAL EDUCATION
AND RELATED SERVICES FOR STUDENTS WITH DISABILITIES
Secondary Delivery System - (Optional)
VE Co-op and SE Workstudy (work experience)

GOAL To provide related work experience (VE Co-op or SE Workstudy) for students who have successfully completed vocational program performance objectives or are enrolled in a vocational program that operates concurrently with co-op program.

	VE CO-OP	SE WORKSTUDY
1. ELIGIBILITY	Any student who has completed the regular vocational education program or is enrolled in a regular vocational education program that operates concurrently with VE co-op.	As specified in the IEP and defined in the ISD Plan, any special education eligible student who: 1) has satisfactorily completed personal adjustment prevocational education and vocational education and/or 2) within 1 school year, ceases to be eligible for special education program and services.
2. INSTRUCTIONAL GOALS	Through a written and signed training agreement, the student receives instruction on the job, required academic courses and related vocational instruction school.	As defined in the IEP and written work-study plan signed by the parents/guardians, school and employer, the student: 1) receives the necessary educational and vocational education training related in the IEP, and 2) receives credit(s) toward a high school diploma in the same manner and in equal amounts as provided for regular education students in like programs.
3. INSTRUCTIONAL STAFF	a. Certified vocational education personnel who are responsible for cooperative vocational education coordination. b. The employer provides training for work-related tasks and activities as defined in the training agreement.	a. The student must be assigned to the caseload of approved special education personnel who are responsible for workstudy coordination. b. The employer provides training for work-related tasks and activities as defined in the training agreement.
4. MRS COUNSELOR	When the student is referred and determined eligible for services from Michigan Rehabilitation Services (MRS), the individualized written rehabilitation program (IWRP) must be written, including vocational goal and implementation plan which specifies the services to be provided by MRS and other agencies where appropriate.	

SECTION J
ASSISTANCE TO PERSONS WITH LIMITED ENGLISH PROFICIENCY

Office for Civil Rights (OCR) Guideline IV(L) specifies that recipients must:

(a) *identify students with limited English proficiency and assess their ability to participate in vocational instruction,*
(b) *use acceptable methods of identification including, (1) identification by administrative staff, teachers or parents/guardians of secondary level students; (2) identification by the student in postsecondary or adult programs; and (3) appropriate testing procedures, if necessary,*
(c) *take steps to open all vocational programs to these students, and*
(d) *if necessary, be able to demonstrate that a concentration of such students in one or a few programs is not the result of discriminatory limitations of opportunities made available to them.*

A number of educational approaches may reasonably be expected to ensure the effective participation of limited English proficient students in the total education program. Thus, school districts have the flexibility to decide on the education approach that best meets the need of their language minority students. Examples of acceptable approaches include Dual Language Program, Transitional Bilingual Education, Developmental Bilingual Education, Structured Immersion and English as a Second Language. The Federal law requires appropriate instructional plans which lead to the timely acquisition of proficiency in English to all students in Michigan.

Procedures for Ensuring Services to LEP

The following procedures are recommended to school districts to ensure that their programs are serving limited English proficient (LEP) students effectively:

- Proper identification of students;
- Appropriate assessment tools to determine eligibility;
- Develop a program to meet LEP students' needs in order to provide an equal educational opportunity to all students;
- Ensure that staff, curricular materials and facilities to meet LEP students' needs are in place and are used properly;
- Continue program assessment and modification where needed.

Proper steps must be taken to avoid LEP students being misplaced in special education programs. Such steps may include: Assessing the student in their own language; ensuring that accurate information regarding the student's language skills is taken into account in evaluating assessment results; and comparing results obtained when a part of the assessment is repeated in the student's first language.

Identification of LEP Students

It is recommended that the Local Educational Agency (LEA) send a Home Language Survey (HLS) form to the home of every student enrolled. Follow-up contact by telephone or visits may be necessary to obtain this information. If the agency has previously conducted a HLS of all students enrolled, the results of that survey may be used as updated to include new and transfer students.

The Home Language Survey is a tool to collect information on students to identify those whose native language is a language other than English, or who come from homes or environments where a language other than English is spoken. This process, a locally-developed survey, or some other method of obtaining the survey information is acceptable.

It is recommended that local school districts attempt to identify students through radio and television announcements, brochures, posters, announcements published in newspapers and presentations before community groups.

Determining Eligibility

Assessment of LEP students enrolled in grades 3-12 will determine the level of services these students need. In grades K-2, LEP students can be referred for appropriate services by teachers, administrators, parents/guardians, and community members. This procedure is based on the State Board of Education's adopted "Procedures for the Identification of Students Eligible for Bilingual Education Funding" (1980).

Notification and Provision of Instruction

In Michigan, local education agencies provide bilingual education to LEP students on a voluntary basis. If LEA's choose to provide bilingual education services to LEP students, they must follow the Administrative Rules (Eligibility Rules, Bilingual Endorsement Rules) and notify the parents/guardians of LEP students to be enrolled in the bilingual education program prior to their enrollment. The notification must be in the child's native language and explain the parents'/guardians' rights to pull out the child from the program. If there is a community of national origin minority persons in the school or community college district, local school districts are to issue public notification that all vocational opportunities willl be offered without regard to race, color, national origin, sex or disability in that community's language. The notification must contain an assurance that the lack of English language skills will not be a barrier to admission and participation in vocational education programs.

Staff, Curriculum and Facilities

Under the Bilingual Endorsement Administrative Rules, LEP students will be served by certified teachers who are bilingually endorsed and speak the student's language. School Improvement Plans require that all educational agencies serve all students and provide equal educational opportunities to all students in Michigan.

EXAMPLE 1

ENGLISH, SPANISH, ARABIC

COMMUNITY NEWSPAPER ANNOUNCEMENT

HELP BREAK LANGUAGE BARRIER

We are seeking to identify students whose home language is other than English. If you are the parent/guardian of such a child/ward--who is not in our present Bilingual Program--please send your child's/ward's name and the school that he/she attends to: Bilingual Coordinator, Rose Park High School, 800 Rose Park Boulevard, Rose Park, Michigan 42322.

AYUDE A ELIMINAR LAS BARRERAS DEL IDIOMA

Estamos tratando de identificar estudiantes que hablan otro idioma en sus hogares ademas del ingles. Si Ud. es el padre o guardian del nino(a)--si el nino(a) no estan inscritos en el programa bilingue--favor de enviar el nombre de su nino(a) y el nombre de la escuela que asiste, Coordinador Bilingue, Rose Park High School, 800 Rose Park Boulevard, Rose Park, Michigan 42322.

Bilingual Coordinator
Rose Park High School
800 Rose Park Boulevard
Rose Park, Michigan 42322

EXAMPLE 2

STATE BOARD OF EDUCATION

RECOMMENDED HOME LANGUAGE SURVEY*

The (Local School District) is collecting information on the language background of each of its students. The information will be used to determine which students are eligible to receive bilingual education funding. Would you please help by filling out the survey? Thank you very much for your cooperation.

Name of Student _____ Grade _____

Age _____ School Building _____

**1. Does your child/ward speak or understand a language other than English?

Yes_____ No_____

a. If yes, what is that language? _____

b. If yes, is that language the first one the child/ward learned to speak or understand?

Yes_____ No_____

2. Is there a language other than English spoken regularly in the home or environment?

Yes_____ No_____

If yes, what is that language? _____

_____ _____

Date Signature of Parent/Guardian

_____

Address

* 1. Translations of the survey in major languages may be obtained from the Bilingual Education Office, which will also provide technical assistance in conducting the survey.

2. Districts may wish to devise a survey form which will allow them to gather the same information by household.

3. Districts may wish to gather the information for high school students directly from the student.

**An affirmative response to either question 1 or 2 indicates a student who is potentially eligible for bilingual funding.

MICHIGAN DEPARTMENT OF EDUCATION

SUGGESTED TESTS FOR ASSESSMENT OF ORAL LANGUAGE PROFICIENCY

This is a list of currently available instruments suitable for measuring oral language proficiency in accordance with State Board of Education guidelines. This list is not represented as exhaustive. If a district wishes to use an instrument not on this list, approval has to be given by the Michigan Department of Education.

A. Oral Production Tests

1. Bilingual Syntax Measure I (1975) (BSM I); Bilingual Syntax Measure II (1978) (BSM II)

   Harcourt, Brace, Jovanovich, Inc.
   7555 Caldwell Avenue
   Chicago, Illinois 60648
   (773) 782-6616

   Target ethnic groups: Cuban
   Mexican-American
   Puerto Rican
   Italian
   Philipino (Tagalog)

   Oral English/Oral Native Language

   Grade Range: K-12 Administrative Time: 15 minutes

2. Language Assessment Battery (1976) (LAB)

   Houghton Mifflin Company
   1900 South Batavia Avenue
   Geneva, Illinois 60134
   (630) 232-2550

   Target ethnic groups: Puerto Rican

   English/Spanish Listening, Speaking, Reading, Writing

   Grade Range: K-12 Administrative Time :
   Speaking - 15 minutes (total test, including reading, listening, and writing - 45 minutes)

B. Oral Reception Tests

1. Gray Oral Reading Test (1991)

   Harcourt, Brace, Jovanovich, Inc.
   7555 Caldwell Avenue
   Chicago, Illinois 60648
   (773) 782-6616

   Target ethnic groups: General

   Oral/English Comprehension

   Age Range: 6.6 to 17 Years

   Administrative Time:
   Approximately 15-30 minutes

2. Language Assessment Battery (1976) (LAB)

   Houghton Mifflin Company
   1900 South Batavia Avenue
   Geneva, Illinois 60134
   (630) 232-2550

   Target ethnic groups: Puerto Rican

   English/Spanish Listening, Speaking, Reading, Writing

   Grade Range: K-12

   Administrative Time:
   Listening - 15 minutes (total test, including speaking, reading, writing - 45 minutes)

EXAMPLE 3

El distrito de Cherwell ofrece oportunidades para la educación vocacional en los distritos de Mooney, Clark, West Island, Wiley y Kirk.

En el Centro Vocacional, los estudiantes de la secundaría de estos distritos pueden participar en varios programas y actividades para exploracion de carreras y preparación vocacional para el empleo.

Bajo los reglamentos del Distrito Escolar de Wolvering el centro no descrimina raza, color, nacionalidad, sexo, des valido. Además la falta del idioma de inglés no es un obstáculo para la admisión o participación. Ayuda es disponible para las personas que estan limitados de inglés.

Los programas que so ofrecen en el centro de su area incluyen:

Aire Acondicionado y Refrigeración
Construcción
Procesamiento de Datos
Taller Mecanico
Cosmetología
Electrónica
Arte Gráfico
Ayuntamiento de Enfermería
Soldaduría

No hay requisitos para registrarse en estos programas.

Si tiene algunas preguntas acerca de estos programas puede informarse. Llama a Wolvering Area Centro al telefona (616) 799-8000.

Prequntas de equidad sobre el sexo o desvalido debe ser dirijida a:

Sinceramete,

EXAMPLE 4

SILVER SPRINGS SCHOOL DISTRICT
120 Larson Street
Silver Springs, Michigan 47310

Dear _____:

Your child/ward, _____, has been selected to participate in the Bilingual Education Program offered by the School District of the City of Silver Springs. A short description of the program is enclosed. Your child will be receiving instruction in two languages, English and Arabic.

If you do not wish to have your child/ward enrolled in this program, please return the enclosed form to Mr. George Lincoln at the above address.

You are welcome to visit your child's/ward's bilingual instruction class at any time. Please contact Mr. Lincoln at 548-4484 for the time and room number of your child's/ward's class .

As a parent/guardian of a student enrolled in the program, you are eligible for membership on the Parent/Guardian Advisory Committee and on the Bilingual Instruction Eligibility Committee. An explanation of the duties of these committees and an application form for membership are available from Mr. Lincoln.

Sincerely,

Dennis Jameson
Principal

100

EXAMPLE 5(a)

SILVER SPRINGS SCHOOL DISTRICT
120 Larson Street
Silver Springs, Michigan 47310

Dear _____:

There will be a meeting of the Spanish Bilingual Advisory Council on Monday, March 10, at 7:30 p.m., in the Constant High School Cafeteria. All parents/guardians who have students in our schools are welcome.

AGENDA

1. Evaluation by parents/guardians of the Bilingual Program–Grades K-12.

2. Program recommendations by parents/guardians for next year.

3. Planning for the offering of a course in English for Spanish parents/guardians who do not speak English. The course is to be taught by a Spanish teacher with bilingual paraprofessionals.

4. Employability skills training for those adults who speak English.

Joseph Perrone
Bilingual Coordinator

EXAMPLE 5(b)

SPANISH

SILVER SPRINGS SCHOOL DISTRICT
120 Larson Street
Silver Springs, Michigan 47310

Estimado_____:

Se llevará a cabo una conferencia del Spanish Bilingual Advisory Council el lunes, 10 de Marzo a las 7:30 p.m., en la cafeteria de la escuela Constant High. Los padres de familia que tengan a sus hijos en esta escuela son vienvenidos.

AGENDA

1. Evaluación del Programa Bilingue por los padres– Grados K-12.
2. Recomendaciones para el programa del próximo año por los padres.
3. Se esta planeando un curso en inglés que se ofrecerá a los padres de familia de habla hispana que no hablan inglés. El curso será enseñado por una maestra bilingüe paraprofesional.
4. Destrezas de entrenamiento para procurar empleo para todos los adultos de habla inglés.

Joseph Perrone
Coordinadoe Bilingue

EXAMPLE 6(a)

LETTER TO PARENTS/GUARDIANS OF STUDENTS IN THE BILINGUAL EDUCATION PROGRAM.

TO THE PARENTS/GUARDIANS
OF:_____

DATE:_____

Dear Parents/Guardians:

The Powers Consolidated Schools has a Bilingual Education Program. This program helps students who primarily speak a language other than English, or whose families primarily speak a language other than English. The program also helps the families to communicate with the school. We think your child/ward would benefit from this program. Parents/guardians may visit the school during their child's/ward's bilingual period.

You have the right to refuse to allow your child/ward to participate in the program, and to withdraw him/her from the program at any time. Your child/ward will be in the bilingual program unless you send a letter of refusal to the principal written in any language.

If you have any questions, please contact _____
at _____, phone 573-7461.

Sincerely,

EXAMPLE 6(b)

GERMAN

BRIEF AN DIE ELTERN VON SCHUELERN IM ZWEISPRACHIGEN UNTERRICHTSPROGRAMM.

AN DIE ELTERN VON:_____

DATUM:_____

Sehr geehrte Eltern,

die Vereinigten Schulen von Powers ermoeglichen ein zweisprachiges Unterrichtsprogramm. (Bilingual Education Program).

Dieses Programm hilft Schuelern welche sich einer anderen Sprache, anders als Englisch, bedienen oder Englisch nicht als Hauptsprache ausserhalb des Schulunterrichtes benutzen. Weiterhin soll dieses Programm Familien in deren Verstaendigung mit der Schule helfen.

Wir glauben, dass dieses Programm fuer Ihr Kind von Vorteil ist und laden Sie herzlich ein daran teilzunehmen. Besuchen Sie uns bitte waehrend der zweisprachigen Unterrichtsperioden Ihres Kindes.

Ihr Kind ist automatisch in dem Programm einbezogen. Sie haben das Recht die Teilnahme an dem Programm zu verweigern und Ihr Kind jederzeit aus dem Programm zu nehmen.

Sollten Sie die Teilnahme Ihres Kindes an dem Programm nicht wuenschen bitten wir Sie um eine schriftliche Verweigerung (in jeder Sprache) addressiert an den Rektor der zustaendigen Schule.

Fuer weitere Fragen steht Ihnen_____.
Telefon 573-7461 gerne zur Verfuegung.

Mit freundlichen Gruessen

EXAMPLE 6(c)

SERBO-CROATIAN

OBRAVESTENJE RODITELJIMA UCENIKA UKLJUCENIH U LINGVISTICKI PROSVETNI PROGRAM

RODITELJUMA OD:

_____

DATUM: _____

Dragi Roditelji:

Prosveta skolskog sistema u Powers posedujo Lingvisticki Prosvetni Program.

Ovaj program je nemenjen iskljucivo ucenic-ma ciji maternji jezik nije Engliski, kao i ciji se roditelji sluze u kuci drugim jezikom pored Engliskog.

Ovaj program pruza pomoc ucenicima da savladju probleme kako u gradivu tako i u usavrsavanju Engliskog jezika. A, Vama kao rodiljima, omogucava da lakse uspostavite vezu sa skolom kao i da blize upoznate njen sistem.

Imate pravo da posetite nas program, da prisustvujete za vreme nastave. Zakon Vam nalaze da Vi resite dali ce vase dete pristupiti ovom programu. U protivnom, Vi se morate obratiti pismenim putem, na vasem jeziku, direktoru ove skole.

Za blize informacije potrazite: _____

Telefon 573-7461.

S postovanjem,

_____

SECTION K
COUNSELING

CRITICAL ROLE OF THE COUNSELOR

The counselor at the secondary school level assumes a number of roles, all important and potentially critical in affecting a students's future. In performing these varied roles, the professional commitment of the counselor is directed at promoting the fullest development of each individual.

A variety of barriers has acted to limit this ideal with respect to minorities, women, and students with disabilities. These are reflected in the most recent national education statistics. For example, the reading proficiency of minority students, while advancing, is in need of further improvement. The high school completion rates for African Americans and Hispanics lag far behind those of white students. Enrollment of minority students in higher education programs is substantially below that of white students. Women and minorities continue to be under-represented in engineering, mathematics, and other scientific and technical fields.

The challenge is to provide counseling services that improve and expand the service delivery to minorities, women, and students with disabilities and thereby help to ameliorate these conditions. This means that a counselor needs to have an understanding of how to recognize discrimination and other barriers to equal educational opportunity before appropriate steps are taken to address these barriers enabling all students to develop to their fullest.

The counselor should:

- Inform students and parents/guardians of their protection under the civil rights laws.
- Analyze course enrollment data to identify disproportionate enrollment of minority, women and students with disabilities.
- Identify discriminatory practices in existing guidance/counseling program policies and procedures.
- Establish goals, objectives, and action steps in school district guidance plans in response to identified career needs of minorities, women, and students with disabilities.
- Implement an ongoing career guidance program to meet students' needs.
- Ensure effective communication with limited-English-proficient and students with disabilities.
- Provide support through counseling and consultation with teachers, peers, and parents/guardians to students.
- Assist students in such activities as resume writing, job interviewing, decision-making, financial aid applications, educational/career planning, and on-the-job adjustment.
- Review guidance materials for stereotypes.
- Identify minorities, female, and disabled role models from occupations where they are traditionally under-represented.
- Coordinate counseling activities with other school and community resources and agencies serving special population groups.

SECTION L
AFFIRMATIVE ACTION TO INCREASE MINORITY ENROLLEES

Findings of disproportionate enrollments of minorities in vocational education have resulted in the request that agencies and institutions "undertake positive or affirmative action to increase the number of minority enrollees." The authority for this request is based on the Federal laws and regulations in point which not only prohibit discrimination but also require specific remedial actions and efforts to overcome the effects of past discrimination which have perpetuated non- or underrepresentation of American Indian, Asian American, Black and Hispanic population groups.

Variance in the definition and conception of affirmative action is best explored from the perspective of what it is not. This is especially important in light of the Michigan Department of Education's belief and general finding that educational agencies and institutions in the State have a sincere commitment to "equal opportunity." Therefore, affirmative action should **not be interpreted as**:

1. Reverse Discrimination - operating to facilitate or insure the noninvolvement of those who have had access to, or have historically benefitted from service. Aside from the fact that action of this type is illegal, it is contradictory to vocational education's mission to service all who desire to participate.

2. Freedom of Opportunity and Choice - operating from the perspective that the opportunity exists and because nothing is overtly done to prevent participation, those not represented chose not to be. While the absence of discriminatory conditions and practices is to be commended, this alone will not result in significant change nor does it comply with the mandate to take "remedial action" or remedy underrepresentation as defined by both Federal and State approved benchmarks. **Thus, it is not enough to merely "do nothing to prevent involvement," but the question of "what is being or has been done to promote involvement?" must be addressed.**

If this charge is accepted, the agency or institution undertakes "affirmative action" involving specific steps and special efforts to recruit and serve persons of groups which have been formerly excluded or clearly underrepresented.

As a component of the Civil Rights Compliance Program in Vocational Education, "Affirmative Action" is authorized by Section IIB of the *Vocational Education Programs Guidelines for Eliminating Discrimination and Denial of Services on the Basis of Race, Color, National Origin, Sex or Disability*, and the supplementary regulations of Title VI, Title IX and Section 504, which either require or support remedial efforts to "overcome the effects of past discrimination."

This section is directed at agencies and institutions that are involved with the issue of "affirmative action." The activities compiled are offered as suggestions of a number of strategies that can be taken to recruit members of groups which have, for whatever reason, been excluded or are underrepresented.

Recruitment strategies, if they are to be successful, require coordination of the following efforts:

1. IDENTIFICATION & ACCEPTANCE OF THE PROBLEM - In order to provide a comprehensive picture, facts and figures should be gathered to illustrate the extent to which minorities are represented. To propose any type of recruitment effort without this would be an error. In the case of vocational education, this step has already been taken as part of the Civil Rights Compliance review in which the non- and underrepresentation of minorities has been identified as a prominent concern.

   The value of documentation to illustrate the point and to raise the awareness level and concern of the public cannot be over-stressed. Also, the lack of support provided by facts and figures can result in acceptance of the problem as a mere "perception" instead of a "reality" or as a "symptom" instead of a "problem." Based on this argument, it is suggested that findings relative to the underrepresentation of minorities be shared or reported to those with whom the responsibility for change will rest.

2. OWNERSHIP OF THE PROBLEM - Like most social-based issues, the problem of non- or under-representation of minorities in vocational education is not new and is not the result of action by any one person or group of persons. As a multipronged problem, ownership and responsibility for what exists is shared by two groups of key actors. They are: (a) those directly and indirectly involved in the delivery of vocational education including all personnel within the agency or institution; and (2) those who directly or indirectly benefit from this service such as those sources external to the agency or institution.

Using these categories of ownership, information regarding the status of minority representation in vocational education should be shared with:

1. Personnel within the Agency/Institution

   (a) Policy & Relevant Advisory Boards - Any commitment to affirmative action should begin at the top decision-making level with those who establish policies. Therefore, it is very helpful, if not essential, to have the approval of all top officials and administrators if the program is to be successful. Although they are not usually charged with the responsibility of establishing policies, they are responsible for making recommendations and their endorsement of actions proposed or taken is considered politically advantageous since they are usually comprised of persons with diversified backgrounds and expertise.

   (b) Central & Building Administrators - Research identifies these factors as the most influential factors in determining the priorities for the district and in the building. Their input and support are vital to the execution of any program and their supervision is equally important in interpreting and monitoring adherence to established policies.

   (c) Counselors & Teachers; Consultants & Specialists; Aides & Volunteers - In addition to the factors already mentioned, this cadre of actors, through interaction with students, parents/guardians and others, function as a support system that generally provides information, direction, encouragement, and role models to impact the development and change of attitudes and skills.

(d) Students & Prospective Students - Images and perceptions held by students play a major part in the implementation of an affirmative action program. Peer influence is widely recognized as a dynamic catalyst for recruitment efforts.

2. Sources External to the Agency/Institution

(a) Parents/Guardians & Faculty Members - In general, adults, which this group represents, hold beliefs and values about the educational process especially as it relates to career options. The belief and values that they hold and pass on must be recognized and explored in relationship to any efforts or program involving minority students.

(b) Neighborhood/Community/Civic Action Groups/Fraternal & Social Communication of recruitment needs to these external sources are most significant for building a support network with others who share the same concerns and interests and whose endorsement can provide assistance in reaching groups and in helping them form linkages with other social institutions. Using this approach, the generic term "minority student(s) or group(s)" is practically useless because most ethnic groups have organizations like these which are unique to their culture.

(c) Religious & Church Related Organizations - No discussion of support systems would be complete without acknowledging the influence of these organizations. Their traditional role in addressing and coping with the needs and frustrations of these cultural groups have made them especially effective in helping these groups locate, assess and utilize resources. A model letter is provided on page 132, which can be used to contact these types of organizations.

Identifying specific minority groups in the community is a key to using the above sources. Given this, special attention may need to be given to methods of reaching ethnic populations. This effort involves finding out those groups and organizations in your community whose purpose and/or membership is based on the minority group in focus. The URBAN LEAGUE and the NAACP are two well known sources which, if available, can usually provide direction to ethnic-based leadership groups in an area. Although these organizations are best known for their efforts in desegregation, they function to protect the civil rights of all minorities and are experienced in doing so.

Unfortunately, local chapters of these organizations are more apparent in or near metropolitan areas with reasonable sized minority populations. A list of groups and organizations and newspapers and newsletters for some of these groups may be obtained by contacting: Special Populations Program Consultant, Office of Career and Technical Education, P.O. Box 30009, Lansing, MI 48909, (517) 373-3373. See the end of this section for a partial listing.

EXAMPLE 1

LETTER TO RELIGIOUS & CHURCH RELATED ORGANIZATIONS

Dear Reverend:

As part of its Civil Rights Compliance Plan in Vocational Education, the Palmertown School District is undertaking affirmative action to increase the number of (ethnic group) students in vocational education programs/courses. In support of this, the Palmertown School District is conducting an area-wide campaign to locate interested and eligible persons for enrollment.

The enclosed brochure provides a brief explanation of the School District's vocational education program offerings which can lead to rewarding occupational careers. We ask that you read this document carefully, as it is certain to have implications for career options for members of your congregation and for others whom you may serve.

Also, as a most effective means of communicating with the Palmertown community, we solicit your cooperation in allowing either a member of our staff and/or an appointed spokesperson from your congregation to read the enclosed script to explain the value of vocational education as a career option well worth exploring.

Your support and cooperation in this effort is definitely needed and shall be greatly appreciated by our staff.

Arrangements for one of our staff persons to visit the group of your choice can be made by calling:

(Name)
(Office Address)
(Telephone)
Between the hours of

Sincerely,

Once the ethnic-based organization for a specific minority group is identified, initial contact should be made to arrange logistics for a future meeting to discuss the agency's or institution's affirmative action needs. This can easily be handled by a phone call to the designated officer or administrator of the group. It is recommended that the subject of this call be limited to setting up a meeting to open discussion rather than attempting to explain details. Because some have a different comfort zone, a letter rather than a phone call for initial contact may be preferred. In this case, some background information might be necessary and appropriate to capture attention (see sample letters on the following pages).

Once arrangements for a meeting with representatives of a minority-based group or organization have been made, efforts should be directed to preparing for the meeting. With this in mind, the following suggestions are offered:

1. Solicit the aid of other personnel who would be willing to attend the meeting. Representation of more than one can be interpreted as an indicator of commitment and a second perspective is usually helpful in facilitating and analyzing group interaction.

2. If possible, strive to have a minority group representative as part of the agency/institution meeting team. This is usually an indicator of endorsement and lends a degree of validity to the effort.

3. Be prepared to explain the objective and benefits of vocational education and to deal with traditional misconceptions. If possible, briefly share information concerning program offerings, placement services, wages, etc. to emphasize its value as a career option for all.

4. Be prepared not only to provide background information but also to leave something concerning the effort in the hands of those in attendance. Call a few days before the meeting to confirm the date, time and place and the number of people expected to attend.

5. Be prepared to explain what the agency or institution is doing internally to accomplish its affirmative action goals. If possible, share examples of letters, memoranda, and school newsletters which will or have been used to promote affirmative action.

6. Be prepared to share some idea of how you think the group can assist in meeting the objectives of the affirmative action program.

7. Have in mind some estimate of the amount of time the agency will have to spend or the number of people necessary for what is being requested.

8. Request the identification of a specific contact person to coordinate efforts between the organization and the agency or institution.

9. If possible, gain some commitment for immediate feedback or commitment by establishing a future time for a follow-up planning session, a meeting with a larger group, etc. Avoid accepting an open-ended promise to "see what can be done" or get back in touch.

10. Extend an invitation to meet at the location of the vocational education program and provide a tour of the facility and equipment.

EXAMPLE 2

LETTER TO STUDENTS & PARENTS/GUARDIANS

Dear:

In compliance with a Federal mandate, the Michigan Department of Education, Office of Career and Technical Education, implemented a compliance program to prevent, identify, and remedy discrimination on the basis of race, color, national origin, sex, or disability by local agencies that receive Federal financial assistance. This compliance program included the examination of data and an on-site review to identify situations of imbalanced representation of racial/ethnic groups, females/males, and students with disabilities enrolled invocational education to assess equity in participation and benefit.

Palmertown School District was one of the participants in this compliance program and its vocational education programs have been reviewed accordingly. In the process of examining ourselves through this compliance program, we have identified the following area(s) of concern:

Our commitment to equal opportunity in all educational programs and activities makes us uncomfortable with these findings to the point that we are committed to changing them by taking affirmative action. Therefore, we are sharing our concern with you with the hope of soliciting your assistance in encouraging all students regardless of race, color, national origin, sex, or disability to explore opportunities in vocational education at Palmertown School District.

As we view it, "to have opportunity and not use it is permissible but to be unaware of opportunity is not." So, if you know a student in grades 9-12 who might benefit from vocational education, please tell them about it and have them contact:

(Name)
(Office Address)
(Telephone)
Between the hours of

Sincerely,

Superintendent

EXAMPLE 3

LETTER TO ETHNIC-BASED ORGANIZATION

Dear:

In compliance with a Federal mandate, the Michigan Department of Education, Office of Career and Technical Education, implemented a compliance program to prevent, identify, and remedy discrimination on the basis of race, color, national origin, sex, or disability by local agencies that receive Federal financial assistance. This compliance program included the examination of data and an on-site review to identify situations of imbalanced representation of racial/ethnic groups, females/males, and students with disabilities enrolled in vocational education to assess equity in participation and benefit.

Palmertown School District was one of the participants in this compliance program and its vocational education programs have been reviewed accordingly. In the process of examining ourselves through this compliance program, we have identified the following area(s) of concern:

Our commitment to equal opportunity in all educational programs and activities makes us uncomfortable with these findings to the point that we are committed to changing them by taking affirmative action. In preparation for this important endeavor, we are attempting to locate interested groups with whom to share a mutual concern and assist us in achieving our goal.

Perhaps you would be willing to allow a member of our administrative staff and/or an appointed spokesperson from this community to meet with you or your membership to explain our needs and some other information concerning this effort. If so, please contact:

(Name)
(Office Address)
(Telephone)
Between the hours of

We ask that you seriously consider this request and its implications for members of your group as well as others whose welfare you also serve.

Your support and cooperation shall be greatly appreciated.

Sincerely,

Superintendent

Soliciting the Support & Effort of Personnel Within the Agency/Institution

Sharing responsibility for concerns and issues, as well as achievements and gains, is an essential first step to the development of a trusting and supportive relationship.

The finding of nonrepresentation or disproportionate number of minority enrollees in vocational education, like any other educational issue about which some action must be taken, must be addressed by those whose decisions and actions facilitate delivery.

It is assumed that strategies commonly used to communicate with agency or institution personnel to explore concerns and issues, analyze problems, seek alternatives and find solutions are equally suitable for this purpose and require no elaboration. It is, however, recommended that the student population, including relevant student organizations, be informed of facts surrounding the affirmative action program including:

The conduction of the on-site review;
The report of significant findings;
The Administration's commitment to compliance;
The meaning and purpose of affirmative action; and
The student's role in recruiting minority students.

Expanding on the idea of the student's role in recruitment, the following is a list of suggested activities/projects that students can implement or assist in implementing, along with a rationale for delegating this responsibility to them.

- School Assemblies - their impact is invaluable in designing programs that will be effective with their peers.

- Resource Persons/Guest Speakers - they are often the sons, daughters, nieces, nephews, neighbors, friends or relatives of the experts in the community and, therefore, often have an inside track they can use to locate and engage important resource people whose skills and talents can be useful in achieving set goals.

- Recruitment Materials - when given the chance, they are masterful in designing creative approaches to the treatment of any subject or issue. Use their skill and talent to produce special brochures, bulletins, newsletters, articles, etc.

- Dissemination Information & Materials - they have a wide range of contacts both inside and outside the school setting. Decide what message or materials need to be conveyed and distributed and allow students to assist. This can be done through personal contact, surveying, special exhibits such as "Career/Recruitment Fairs," media presentations, panel discussions, etc.

- Support Groups - they can be of primary value in developing and delivering effective support services such as counseling, tutorial, etc. Also aside from being generally helpful, they are most useful in recruiting of special populations and in assuring that participation will result in a positive experience.

Soliciting the Support & Effort of Sources External to the Agency/Institution

The art to soliciting the effort and support of ethnic-based groups and organizations depends greatly upon the agency's/institution's ability to visualize and explain its perception of the organization's role and function regarding affirmative action. Difficulties normally experienced in enlisting active support or gaining "takers" can be minimized when the agency/institution can identify specific responsibilities and activities with which the group or organization can assist or assume. In addition to promoting trust, this directness eliminates the unnecessary waste of both time and effort. More importantly it allows energy normally consumed in deciding and planning to be better utilized in production. Some specific responsibilities and activities for consideration include:

- Interpreting and disseminating general information about vocational education to the ethnic community.
- Conducting special recruitment workshops for specific ethnic populations.
- Making referrals of specific ethnic groups based on their accessibility to the group.
- Establishing support groups to which students of a particular ethnic background can comfortably consult when making decisions or communicate special interests and concerns.
- Endorsing and/or producing special communication for specific ethnic groups.
- Placement on review and advisory boards to provide authentic input and to monitor the interests of specific ethnic groups.

Strategies for Recruitment and Retention
of Minority Students in Michigan Vocational Education Programs

Recruitment for minorities will have to include recommendations for formalizing and expanding existing general recruitment activities. If this is the case, two factors should be kept in mind:

1. Good vocational recruitment plans must include the information, education, involvement, and coordination of all actors: Boards of Education, Trustees, Presidents, Superintendents, Deans, Chair/ Division Heads, vocational and other teachers, vocational and general counselors, employers, minority leaders and parent/guardian groups. All activities incorporated must be prescheduled on a yearly basis with all responsibilities preassigned. This recruitment system must be constantly monitored by a responsible body, with revisions and updates made accordingly.

2. It is the agency's responsibility to see that these general recruitment activities are targeted to and conducive to, minority groups presently underenrolled in its vocational education programs, according to an assessment study it has carried out. (See Module 1 - *Vocational Education Assessment Kit.*)

For general purposes, **a list of the most commonly used recruitment strategies** by vocational centers and colleges within Michigan follows:

Recruitment and Retention Strategies

1. Providing career awareness activities integrated into the bilingual/LEP or social sciences curriculums.
2. Conducting career fairs for students and parents/guardians.
3. Hosting socials or open houses at the vocational centers or colleges for students and parents/guardians.
4. Disseminating printed notices, posters or flyers at feeder schools.
5. Using audio-visual presentations to student and parent/guardian groups to explain vocational program opportunities. (Short "brag tapes" or video spots developed by vocational students have been effectively used in Detroit.)
6. Parents/Guardians Day at vocational centers for secondary programs.
7. Recognition of the vocational student of the month, with announcements at, and credit to, the home school.
8. Letters promoting vocational education to parents/guardians or to the workplace of minority persons.
9. Organized student vocational education promotional teams to give presentations in the high schools. (Replace Yourself Concept, ASETS Program, Vocational Club Officers, etc.)
10. Board of Education or Trustee presentations by vocational students, teachers, administrators and former students.
11. Vocational Education bulletin boards within the schools or colleges with representative photos of students in training and working.
12. Vocational Education promotional posters in schools or colleges, featuring vocational students and their testimonials.
13. Distribution of promotional materials to teachers, administrators, counselors, and advisory groups throughout the district or service area.
14. Vocational Center orientation sessions for high school counselors and teachers. (In-service training on center offerings and recruitment plans and techniques).
15. Specialized career guidance activities such as interest inventory testing, career guidance week and seminars.
16. Promoting and facilitating a school or college Vocational/Technical Day by all staff.
17. Arranging for student visits to vocational centers or colleges individually or as a group.
18. Integrating nontraditional vocational choice promotion into regular recruitment programming.

Ethnic-based Resource Groups and Organizations

AMERICAN INDIAN

American Indian Community Leadership Council
Sharon Kota, Chairperson
5315 Ravenswood Road
Kimball, MI 48074
810/984-3101 or 364-8370

American Indian Services, Inc.
Fay Givens, Director
110 Southfield Rd
Lincoln Park, MI 48146
313/388-4100

Urban Indian Affairs
Frank Jordan, Interim Director
1200 6th St Suite 700
Detroit, MI 48226
313/256-1633

North American Indian Association
Susan Kijng, Interim Director
22720 Plymouth
Detroit, MI 48239
313/535-2966

Genesee Valley Indian Association
Board of Directors; Attention Pat Thayer
609 W Court
Flint, MI 48503
810/239-6621

Saginaw Inter-Tribal Council Assn, Inc
Vicky Miller, Director
3175 Christy Way
Saginaw, MI 48603
517/792-4610

Lansing North American Indian Center
Attention: Vicki Reyas
1235 Center Street
Lansing, MI 48915
517/487-5409

NEWSLETTERS

TURTLE ISLAND TIMES
Michigan Indian Benefit Association
Lansing Indian Center
Attention: Vicki Reyas
1235 Center St.
Lansing, MI 48906
517/487-5409

TALKING PEACE PIPE
South Eastern Michigan Indians, Inc.
P.O. Box 861
Centerline, MI 48015
810/756-1350

WIN AWENEN NISITOTAM
Sault Ste. Marie Tribe of Chippewa Indians
206 Greenough Street
Sault Ste. Marie, MI 49783
906/635-4768

GRAPEVINE
Genesee Valley Indian Association
Genesee Indian Center
609 W Court
Flint, MI 48503
810/239-6621

BEAR TALKS
Saginaw Inter-Tribal Council Assn., Inc.
Victoria Miller, Director
3175 Christy Way
Saginaw, MI 48603
517/792-4610

AFRICAN AMERICAN

CIVIL RIGHTS ORGANIZATIONS

National Association for the Advancement of Colored People
Earl Shinhoster, Acting Exec Director
4805 Mount Hope Drive
Baltimore, MD 21215
410/358-8900

NAACP Legal Defense & Education Fund
Robert Presco, President
99 Hudson Street, 16th Floor
New York, NY 10013
212/219-1900

National Urban League
Hugh B. Price, President & CEO
500 East 62nd Street
New York, NY 10021
212/310-9000

FRATERNITIES

Kappa Alpha Psi Fraternity, Inc.
Dr. W. Ted Smith, Director
National Headquarters
2320 N. Broad Street
Philadelphia, PA 19132
215/228-7184

Omega Psi Phi
John Epps, Exec. Director
National Headquarters
3951 Snapfinger Pkwy.
Decatur, GA 30035
404/284-5533

Phi Beta Sigma
Dr. Lawrence E. Miller, Exec. Director
National Headquarters
145 Kennedy Street, NW
Washington, DC 20011
202/726-5434

SORORITIES

Alpha Kappa Alpha
Eva Evans, President
National Headquarters
5656 S. Stoney Island Ave
Chicago, IL 60637
312/684-1282

Delta Sigma Theta
Rossaline McKenny, Exec Director
National Headquarters
1707 New Hampshire Avenue, NW
Washington, DC 20009
202/986-2400

Sigma Gamma Rho
Dr. LaRona J. Morris, Grand Basileus
National Headquarters
8800 S. Stoney Island Ave
Chicago, IL 60617
312/873-9000

Zeta Phi Beta
Vercilla Brown, Executive Director
National Headquarters
1734 New Hampshire Avenue, NW
Washington, DC 20009
202/387-3103

NEWSPAPERS

MICHIGAN CITIZEN
Charles Kelly, Publisher
P.O. Box 216
Benton Harbor, MI 49022
616/927-1527

DETROIT ECORSE TELEGRAM
J.C. Wall, Editor
4122 10th Street
Ecorse, Michigan 48229
313/928-2955

MICHIGAN CHRONICLE
Robert McTyre, Editor
479 Ledyard Street
Detroit, MI 48201
313/963-5522

GRAND RAPIDS TIMES
Patricia Pulliam, Editor-in-Chief
2016 Eastern Ave, S.E.
Grand Rapids, MI 49507
616/245-8737

PROFESSIONAL MEDIA ORGS.

Delta Sigma Theta Sorority, Inc.
Barbara Benford, President
18340 W. Seven Mile
Detroit, MI 48219
313/533-1605

Minority Telecommunications Corp.
Roy Thompson, President
166 Madison Avenue
New York, NY 10016
212/686-6850

National Association of Black Journalists
Arthur Fennell, President
11600 Sunrise Valley Dr.
Reston, VA 22091
703/648-1270

RADIO STATIONS

WGPR-FM
George Matthews, General Manager
3146 E. Jefferson
Detroit, MI 48207
313/259-8862

WJZZ-FM
Dr. Wendell Cox, Chairman of the Board
2994 E. Grand Boulevard
Detroit, MI 48202
313/871-0590

WCHB-AM
Terry Arnold, President/CEO
32790 Henry Ruff Road
Romulus, MI 48174
313/278-1440

WDZZ-AM
Roger Moorman, General Manager
120 E First St Suite 1830
Flint, MI 48502
810/767-0130

WKWM-AM
Richard Culpepper, General Manager
P.O. Box 828
Kentwood, MI 49508
616/676-1237

TELEVISION STATIONS

Black Entertainment Television
Robert Johnson, CEO & Chairman
1900 W. Place NE
Washington, D.C. 20018
202/608-2000

HISPANIC

Archdiocese of Detroit
Office for Hispanic Ministry
305 Michigan Avenue
Detroit, MI 48226
313/237-5761

Latino Outreach & Family Service Center
3815 W. Fort
Detroit, MI 48216
313/841-7380

Spanish Speaking Information Center
Lily Tamez Kehoe, Director
202 E. Boulevard Drive, Suite 320
Flint, MI 48503
810/239-4417

Hispanic Center of Western Michigan
560 Hall SW
Grand Rapids, MI 49503
616/452-4010

Community Action House
Cynthia Reyna, Director
345 West 14th Street
Holland, MI 49423
616/392-2368

Hispanic Americans Striving Toward
Advancement (HASTA)
c/o Special Activities Office
Southern Michigan State Prison
4000 Cooper St.
Jackson, MI 49201
517/780-6000

Puerto Rican Cultural & Educational Center
20 N. Saginaw
Pontiac, MI 48058
810/332-5540

Diocese of Saginaw
Hispanic Ministries Cultural Center
Maria Cepeda, Vicar for Hispanics
405 Hayes St., 2nd Floor
Saginaw, MI 48602
517/755-4477

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SECTION M
WORK STUDY, COOPERATIVE EDUCATION, JOB PLACEMENT AND APPRENTICE TRAINING

Recipients who operate work study, vocational cooperative education, job placement, and/or apprentice training programs must ensure that:

1. Student enrollment and participation in these programs is not based upon race, color, national origin, sex, or whether or not the student has a disability; and

2. Students participating in these programs are not discriminated against by employers or prospective employers in recruitment, hiring, placement, assignment to work tasks, hours of employment, levels of responsibility and pay.

It is recommended that the recipient take every opportunity to inform all parties contemplating involvement or involved in work study, vocational cooperative education, job placement and apprentice training of its policy and legal obligations concerning nondiscrimination. (Example at end of this section.)

Recipients who operate work study, vocational cooperative education, job placement and similar programs are reminded of the requirements not to honor any employer's request for students without disabilities or students of a particular racial/ethnic group or sex.

Any contract or written agreement, when used in relation to work study, vocational cooperative education, job placement or apprentice training, must contain an assurance from the employer that students will not be discriminated against on the basis of race, color, national origin, sex, age or disability. The suggested Cooperative Education Student Training Agreement that follows contains this assurance as item 5 in the section entitled, "THE AGREEMENT." In addition, written agreements with labor unions or other sponsors providing apprentice training must contain an assurance from the union or sponsor that:

- The union/sponsor does not engage in discrimination against its membership or applicants for membership.

- Apprentice training, free of discrimination, will be offered and conducted for its membership.

Data regarding race, color, national origin, sex and disability of program participants should be collected and reviewed periodically (preferably annually) to monitor imbalanced representation which may be an indicator of unlawful discrimination. It is strongly suggested that the above information not be collected on either the "Application for Cooperative Education Program" or the "Cooperative Education Training Agreement." Instead, a separate effort for the collection of this information is encouraged.

Special emphasis is placed on the fact that any effort or document used to solicit data regarding race, color, national origin, sex, age, and disability must explicitly inform those from whom this information is requested that:

1. The provision of such information is optional and confidential.

2. Such information is collected for reporting purposes to document the agency's/institution's commitment to equal opportunity affirmative action.

Information concerning the conditions of the job such as task assignment, hours of employment, levels of responsibility and pay should also be examined periodically to prevent disparate treatment. Vocational cooperative education coordinators who are required to evaluate training stations for nondiscriminatory employment policies and practices may find information from the "Evaluation of Training Station Form", illustrated on the following pages, useful for this purpose.

APPLICATION FOR COOPERATIVE EDUCATION PROGRAM
AND WORK-SITE BASED EDUCATION

I am interested in:

_____ Agriculture Coop
_____ Business/Services & Technology Co-op
_____ Marketing/Distributive Education Co-op
_____ Health Co-op
_____ Home Ec. Co-op
_____ Trade & Industry Co-op
_____ Other
_____ Undecided

Indicate the type of work you would like to obtain through cooperative education:

First Choice: _____ Second Choice: _____

If you are working now, where are you employed? _____

Type of work you perform on your job: _____

Would you consider employment which includes weekend work? _____ Yes _____No

Do you need any special services or assistance to allow you to participate in Cooperative education? _____ Yes _____ No

Name_____ High School_____ Date_____

Street Address_____ County_____ City_____ Zip_____

Phone(___)_____ Age*___ Birth Date*_____ Grade ___ ____ Soc. Sec. #_____

Drivers License #_____ Is transportation available?_____

Name of parent /guardian_____

What is your present class schedule?

Hour	Subject	Teacher	Room
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			

Please list all your work experience, starting with the most recent, whether you were paid or not.

Place of Employment	Type of Work	Dates

Skills acquired or courses taken that prepare you for potential placement in a cooperative training station:

_____

_____

Your comments: _____

_____

The cooperative education program affirms its commitment to carry out its civil rights obligation to eliminate discrimination and denial of services on the basis of race, color, religion, national origin or ancestry, sex, age, disability, height, weight, or marital status.

The cooperative education program affirms its commitment to carry out its civil rights obligation to eliminate discrimination and denial of services on the basis of race, color, religion, national origin or ancestry, sex, age, disability, height, weight or marital status.

*This item is optional and used solely to determine legal hours and conditions of employment for minors in accordance with Federal and State laws, rules, and regulations.

EDUCATION TRAINING AGREEMENT

STUDENT/LEARNER INFORMATION

Name: _____ Home Phone: _____

Address: _____ S.S.# _____

City: _____ ZIP: _____ Home School: _____

Date of Birth: _____ Age: _____ Grade: _____

EMPLOYER INFORMATION

Name of Firm: _____ Supervisor: _____

Address: _____ Phone: _____

City: _____ ZIP: _____

Worker's Disability Carrier: _____ Policy No: _____

Liability Insurance Carrier: _____ Policy No: _____

EMPLOYMENT INFORMATION

Job Title: _____ Date Employment Begins: _____

Beginning Job Duties: Date Employment Ends: _____

Hours to be Worked:

	M	T	W	TH	F	S	S
Earliest							
Latest							

Training Duties: (See Training Plan)

Avg. Hrs. per Day: _____

Max. Hrs. Per Week: _____

Starting Wage: _____

THE AGREEMENT:

- The employment of the student/learner will conform to all federal, state, and local laws and regulations, including those that prohibit discrimination against any applicant or employee because of race, color, religion, national origin or ancestry, sex, age, disability, height, weight, or marital status.
- The employer agrees to employ the student/learner for the purposes of receiving training and experience in the following occupational area: _____.
- Related instruction will be provided by the school and detailed in the Training Plan.
- Student/learner needs to work an average of _____ hours per week in order to become eligible for _____ credit hours.

FURTHER, THE EMPLOYER AGREES TO:

1. provide a work schedule of sufficient length to develop competencies for the occupation.
2. complete a progress report for each marking period.
3. not terminate the student without consultation with the school coordinator.

FURTHER, THE STUDENT AGREES TO:

1. follow the policies and procedures of the employer and the school.
2. complete assignments of the employer and the school coordinator(s).
3. not quit the training program without the approval of the school coordinator.

We, the undersigned, agree to the conditions in this agreement.

_____ _____ _____ _____

Student-Learner Date Employer Date

_____ _____ _____ _____

Parent/Guardian Date Teacher/Coordinator Date

_____ ( ) _____

School Phone

_____ _____ _____

Address City ZIP

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COOPERATIVE VOCATIONAL EDUCATION
EVALUATION OF TRAINING STATION

Name of Business _____

Address of Business _____

Contact Person _____

Title of Contact Person _____

Telephone Number _____ Type of Business _____

Date _____

THE TRAINING STATION/EMPLOYER:	YES	NO
1. Relates training to the career objective of the student-learner.	___	___
2. Shows an interest in providing instruction for the student-learner while he/she is on the job.	___	___
3. Expresses the desire to provide learning experiences which are comparable with the student-learner's capabilities and interests.	___	___
4. Indicates the desire to assist in the development of a training plan for the student-learner.	___	___
5. Provides time for periodic conferences concerning the student-learner.	___	___
6. Works closely with the student-learner or provides an employee who has the technical and personal qualifications, understanding, interest and time to offer guidance and instruction to the student.	___	___
7. Provides a safe and accessible environment appropriate and beneficial for a student-learner.	___	___
8. Provides reports pertinent to the Cooperative Vocational Education Program: attendance; evaluation of work skills; personal growth and development of positive employee traits; etc.	___	___
9. Observes all state and federal laws relating to the employment of student-learners.	___	___
10. Uses safe and up-to-date equipment.	___	___
11. Observes federal and state safety laws, rules, regulations.	___	___
12. Agrees to a work/school schedule appropriate for the student-learner.	___	___
13. Agrees to pay the student-learner wages commensurate with other entry-level workers.	___	___
14. Demonstrates nondiscriminatory hiring policies and employment practices.	___	___

OVERALL EVALUATION:

ACCEPTED: _____ REJECTED: _____

WHY: _____

Michigan Department of Education

Office for Civil Rights Compliance Program

COORDINATOR'S MANUAL

Michigan State Board of Education
STATEMENT OF ASSURANCE OF COMPLIANCE WITH FEDERAL LAW

The Michigan State Board of Education complies with all Federal laws and regulations prohibiting discrimination and with all requirements and regulations of the U. S. Department of Education. It is the policy of the Michigan State Board of Education that no person on the basis of race, color, religion, national origin or ancestry, age, sex, marital status, or disability shall be discriminated against, excluded from participation in, denied the benefits of, or otherwise be subjected to, discrimination in any program or activity for which it is responsible or for which it receives financial assistance from the U. S. Department of Education.

Office of Enrichment and Community Services
(517) 373-6534 or (800) 949-4232 (TDD)

Office of Career and Technical Education
March 1997

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I. OVERVIEW OF CIVIL RIGHTS COMPLIANCE PROGRAM

The Department of Education, as the State agency responsible for the administration of vocational education, is required to adopt a compliance program to prevent, identify, and remedy discrimination on the basis of race, color, national origin, sex, disability, or age by its subrecipients. (A "subrecipient" in this context is a local agency, vocational education center, or postsecondary institution that receives any Federal financial assistance for their approved vocational education programs through a State agency.) The Civil Rights Compliance Program for Vocational Education is a comprehensive review system designed to improve the delivery of vocational education through the assurance of equal opportunity for all groups and populations. Activities of this program are required by Section II(b) of the *Vocational Education Guidelines for Eliminating Discrimination and Denial of Services on the Basis of Race, Color, National Origin, Sex, and Disability*, Federal Register, Vol. 44, No. 56, page 17165, issued Wednesday, March 21, 1979.

A. Purpose

The primary purpose of this document is to outline Michigan's activities in the Civil Rights Compliance Program for Vocational Education. Listed below are the components of the compliance program required by the Guidelines and the corresponding activity of Michigan's compliance program designed to fulfill these requirements.

Activities	Components
Agency-Level Review:	Collecting and analyzing civil rights-related data and information that subrecipients compile for their own purposes or that are submitted to State and Federal officials under existing authorities.
On-Site Review:	Conducting periodic compliance reviews of selected subrecipients (i.e., an investigation of a subrecipient to determine whether it engages in unlawful discrimination in any aspect of its program).
Compliance Plan:	Notifying the subrecipient of steps it must take to attain compliance and attempting to obtain voluntary compliance upon finding unlawful discrimination.
Technical Assistance:	Providing technical assistance, upon request, to subrecipients. This includes assisting subrecipients to identify unlawful discrimination and instructing them in remedies for, and prevention of, such discrimination.

Reporting:	Reporting agency-level reviews, on-site reviews, compliance plans, and technical assistance activities to the U. S. Office for Civil Rights.
Program Improvement:	Recognizing positive outcomes of successful implementation of programs that provide equal opportunity for all groups and populations.

B. **Basic Goals Guiding These Activities**

This program is designed to:

1. Insure that equal educational opportunities are provided to all students, including full opportunity to participate in programs, activities, and job opportunities, and to benefit from services.

2. Prohibit barriers to achieving full participation, such as the stereotyping of individuals based on their racial, ethnic, gender identity, age, or on their disabling conditions.

3. Provide education in an integrated setting.

4. Analyze, identify, and change policies and activities that impede the achievement of the above goals.

Any questions regarding the compliance program should be directed to: Office of Career and Technical Education, Michigan Department of Education, P.O. Box 30009, Lansing, Michigan 48909, or telephone (517) 373-6730.

II. CIVIL RIGHTS LEGISLATION

TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

"No person in the United States shall, on the ground of race, color or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program receiving Federal financial assistance." (34 CFR, §103.3)

TITLE IX OF THE EDUCATION AMENDMENTS OF 1972

"No person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance." (34 CFR, §106)

Title IX of the Education Amendments of 1972, as amended, is designed to eliminate (with certain exceptions) discrimination on the basis of sex in any education program or activity receiving Federal financial assistance, whether or not such program or activity is offered or sponsored by an educational institution as defined in part 106.

SECTION 504 OF THE REHABILITATION ACT OF 1973

"No otherwise-qualified individual with a disability in the United States shall, solely by reason of her or his disability, as defined in section 706(8) of this title, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance ..." (29 U.S.C. §794(b)).

Part 104 of 34 CFR effectuates Section 504 of the Rehabilitation Act of 1973 which is designed to eliminate discrimination on the basis of disability. On October 29, 1992, the Rehabilitation Act Amendments of 1992 had three significant consequences relative to Section 504: (1) the term "disability" replaced the term "handicap", (2) certain conditions were explicitly excluded from the definition of "disability", and (3) complaints alleging employment discrimination under Section 504 were to be judged by the standards of Title I of the Americans with Disabilities Act (ADA).

AGE DISCRIMINATION ACT OF 1975

"No person in the United States shall, on the basis of age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." (§110.10(a))

TITLE II OF THE AMERICANS WITH DISABILITIES ACT OF 1990 (ADA)

"No qualified individual with a disability shall, on the basis of disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any public entity." (§35.130)

III. AGENCY-LEVEL REVIEW

A. Introduction

The agency-level review is the periodic review of local education agencies, area vocational centers, and postsecondary institutions that receive any Federal funding and conduct an approved State vocational education program. Data that enumerate and describe vocational education programs which are currently required (see "C" below) by, and submitted to, the Department of Education will be examined.

The agency-level review is used to identify situations of possible noncompliance such as imbalanced representation of racial/ethnic groups, females/males, and disabled students enrolled in vocational education programs. These indicators will be used as the basis for further inquiry to determine if the agency-level review findings are the result of discriminatory policies or practices.

B. Selection of Participants

State agencies are required to conduct comprehensive on-site reviews, on an annual basis, of at least 2.5% of the universe of subrecipients and State-Operated Programs (SOP's).

The state uses selection criteria that, to the extent possible, target those subrecipients/ SOP's for on-site reviews that have the greatest potential for civil rights noncompliance. In 1998, the Michigan Department of Education plans to incorporate relevant program performance standards in Federal vocational education laws and regulations as part of their targeting criteria and use selection criteria that will take into account the size or complexity of the reviews. Such factors may include, but are not limited to, the number and distribution of sites, types of student publications, and the mix of geographic and demographic characteristics. The date when the state conducted its last on-site review of the subrecipients and/or SOP's will also be considered.

C. Sources of Data

The following reports for the appropriate fiscal year will be reviewed for monitoring compliance with Title VI, Title IX, and Section 504:

1. VE-4301 (VEDS) - Annual Report on Enrollment and Completion in Vocational Education Programs.

2. VE-4483 - Program/Course/Section Data Verification Enrollment Report (Fourth Friday Enrollment)

3. Postsecondary Year-End Program Enrollment Spreadsheet

4. Postsecondary Non-Program Enrollment Spreadsheet

5. Postsecondary Degrees Conferred Spreadsheet

D. **Benchmarks**

Benchmarks have been established to compare data pertaining to special populations or protected groups as specified in *Vocational Education Programs Guidelines for Eliminating Discrimination and Denial of Services on the Basis of Race, Color, National Origin, Sex, and Disability* and are analyzed by Department of Education personnel to:

1. Identify situations of possible noncompliance indicated by imbalanced representation in vocational education programs; and,

2. As a basis for selecting sites for further inquiry to determine the accuracy of the agency-level review.

The following benchmarks will be used for the agency-level review:

a-1. The percentage of secondary vocational education enrollees in wage-earning programs by racial/ethnic category as compared to the percentage of students in each racial/ ethnic category in the total 9-12 population which are serviced by the subrecipient.

Data sources: VE-4301
FTE Pupil Count (054061)
Head Count Report (IM4203)

a-2. The percentage of secondary vocational education enrollees in wage-earning programs by racial/ethnic category compared to the percentage of secondary vocational education completers in each racial/ethnic category. Data source: VE-4301

b-1. The percentage of postsecondary vocational education enrollees by racial/ethnic category compared to the percentage of students in each racial/ethnic category in the postsecondary institution. Data sources: Year-End Program Enrollment Spreadsheet
Non-Program Enrollment Spreadsheet

b-2. The percentage of postsecondary vocational education enrollees by racial/ethnic category compared to the percentage of postsecondary vocational education completers in each racial/ethnic category. Data sources: Year-End Program Enrollment Spreadsheet
Non-Program Enrollment Spreadsheet
Degrees Conferred Spreadsheet

c-1. The female/male distribution of secondary vocational education enrollees in wage-earning programs compared to an assumed 50/50 female/male distribution in the sub-recipient's total 9-12 enrollment population. Data source: VE-4301

c-2. The female/male distribution of secondary vocational education completers compared to the female/male distribution of secondary vocational education enrollees in wage-earning programs. Data source: VE-4301

d-1. The female/male distribution of postsecondary vocational education enrollees compared to the female/male distribution of the total enrollment for the postsecondary institution. Data source: Year-End Program Enrollment Spreadsheet
Non-Program Enrollment Spreadsheet

d-2. The female/male distribution of postsecondary vocational education completers compared to the female/male distribution of postsecondary vocational education enrollees. Data source: Year-End Program Enrollment Spreadsheet
Non-Program Enrollment Spreadsheet
Degrees Conferred Spreadsheet

e. The percentage of postsecondary vocational education enrollees with disabilities compared to the percentage of the total community college enrollment population who are disabled. Data source: Special Populations Demographic Report

IV. TECHNICAL ASSISTANCE ACTIVITIES

A. Regional Inservice

Inservice workshops will be conducted for representatives of local education agencies and postsecondary institutions who were selected for the agency-level review to explain and clarify procedures for monitoring compliance with the Office for Civil Rights Guidelines.

It is recommended that a team of at least two who are familiar with vocational education, Title VI, Title IX, Section 504, the Age Discrimination Act, Office for Civil Rights Guidelines, and Title II be selected as representatives.

Specific details for participation in the inservice workshops and the notification of selection for agency-level reviews will be sent directly to chief administrative officers of each agency.

B. Tentative Agenda

Information disseminated during these workshops will include the following topics:

1. Goals and Objectives of the Workshop
2. Overview of the Office for Civil Rights Compliance
3. Explanation of the Agency-Level Review Process
4. Agency's Responsibilities
5. Explanation of the On-Site Review
6. Technical Assistance Guide
7. Coordinator's Manual
8. Evaluation of Inservice Workshop

V. ON-SITE REVIEW PROCESS

The on-site review is the visitation by monitors to the local agency or postsecondary institution for the purpose of determining the accuracy of the agency-level review findings related to compliance with Civil Rights Guidelines for Vocational Education programs. The Review Team will observe situations, review records and materials, and interview people in order to determine whether procedural requirements for each of the regulations and guidelines have been or are being met, and whether deviations surfaced during the agency desk audit are, in their opinion, the result of unlawful discrimination. Selection of local agencies and postsecondary institutions for on-site review will be based on the compiled results of the agency-level review conducted that year. From each category, local agencies and postsecondary institutions, a minimum of 2.5 percent will be reviewed on-site.

On-site reviews will be conducted annually by the Department of Education. A team of two or more members will be assigned to review a site for a one-, two-, or three-day period based on the size of the local agency or postsecondary institution and the complexity and organization of the review.

A. Notification

Chief Administrative Officers (or designees) and the coordinator of local agencies and Chief Administrative Officers of postsecondary institutions selected for on-site reviews will be notified at the time of the report of the agency-level review. The letter of notification of selection for on-site review will usually be provided with the agency-level review report in the Spring, but never less than thirty days prior to each on-site review.

The Michigan Department of Education sponsors an inservice in the Spring. This inservice will explain the details of the review and discuss the necessary preparations. At the inservice, the Chief Administrative Officer, or designee, will be provided a *Technical Assistance Guide* outlining the details of the civil rights program.

B. Prereview Activities

Michigan Department of Education on-site team leaders and the on-site coordinator for the educational agency will make arrangements for the on-site review. Specific scheduling and arrangement considerations include:

1. **Local Coordinator's Responsibility**

Detailed arrangements for the on-site review are the responsibility of the local coordinator.

2. **Notification**

It is important that the coordinator notify all staff in the school system, area center, consortium, or community college that an on-site review will be conducted. Allow approximately two weeks notification prior to the scheduled date. Notifying school staff in a separate letter is helpful, as well as suggesting that certain staff members participate in the on-site review.

3. **Planning**

Plan and schedule the on-site review with the size of your district in mind. While large school districts, most area centers, consortia, and multicampus postsecondary institutions may be scheduled for a two- to three-day visit, generally most on-site reviews will be:

- ✦ conducted in a single day.
- ✦ conducted by a three-member team.

a. **Agenda**

Make all arrangements for the on-site review before the start of the entrance interview and develop an agenda to be **forwarded to the Michigan Department of Education.**

b. **Maps**

Provide a map for the review team that includes directions to the location of the entrance interview from both the Lansing and Detroit areas. Also, provide a building or facility map for the convenience of the on-site review team. **Forward the maps, including directions, with the agenda to the Michigan Department of Education.**

4. **Document Organization**

Compile and assemble all requested materials, documents, and records in a central place. This is extremely important if the visit is to proceed as scheduled. **Failure to meet this request may result in an extended or a postponed review**. Keep in mind, the document review usually takes most of a day.

5. **Room Requirements**

Reserve two specific and permanent places: one for interviewing instructors, counselors, and administrators, and one for the review of documents. (These places should, if possible, be private and away from other review activities.) Also, inform interviewees of the scheduled time and location of their interview.

6. **Tour Considerations**

An on-site review team member would like to observe **every facility in all buildings**, especially:

- ✦ Vocational Education Classrooms - **while classes are in session**
- ✦ Career Resource Centers
- ✦ Guidance and Counseling Centers (offices)
- ✦ Placement Offices
- ✦ Special Resource Centers - Sex Equity, Women's or other Student Services
- ✦ Special Facilities/Equipment - Disability, Bilingual or other Special Groups.

At least two students, one female and one male, will be interviewed informally **during the visitations.**

C. **Entrance Interview**

On-site reviews will be conducted during normal working hours. They will begin at the agency administrative office, or other designated location, with an Entrance Interview with the Chief Administrative Officer, or designee, and others whom he/she invites. This meeting will be conducted by the On-Site Review Team Leader and the On-Site Coordinator and should not exceed one hour. It is expected that the Chief Administrative Officer, or designee, will open the meeting. The purpose of this meeting is to:

- ✦ Introduce on-site review team members to local agency personnel.
- ✦ Acknowledge appreciation for the effort put into preparing for the visit.
- ✦ Provide background information concerning the authority and components and procedures of the compliance review.
- ✦ Explain the Michigan Department of Education's philosophy regarding the compliance review process.
- ✦ Provide an overview of on-site activities.

1. **Local Coordinator's Responsibilities**

- ✦ **Invitations** extended to the Superintendent/President, Directors, and other staff members the administration feels may be interested in the review are encouraged.

- **Time and location** of the entrance interview(s) should be determined and listed in the prepared agenda. Driving time from Lansing or the Detroit area should be considered when selecting a starting time, but start no later than 9:00 a.m.

- **Opening remarks** by the local coordinator, or another local administrator, will be made to call the entrance interview to order and to introduce the on-site review team leader.

- An **overview** of the vocational education program will be arranged by the local coordinator to explain such things as the:

  - general philosophy of the agency.
  - size of the school population.
  - type of vocational education programs and related services offered.
  - strong points and problem areas, if any, of the agency concerning the vocational education programs.

2. **On-site Team Leader's Responsibilities**

- **Introducing** all on-site review team members by name and title.

- **Explaining** the overall plan and procedures for monitoring on-site.

- **Responding** to questions about the civil rights compliance program or the on-site review.

D. **Documentation Review**

1. **Purpose**

The purpose of the document review is to ascertain the agency's compliance with Federal Regulations for Title II of the Americans with Disabilities Act of 1990, Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and *Vocational Education Programs Guidelines for Eliminating Discrimination and Denial of Services on the Basis of Race, Color, National Origin, Sex, and Disability.*

2. **Local Coordinator's Responsibilities**

The local coordinator will compile and assemble for review a set of documents as identified in the Document Review section.

3. **Time**

Depending on the number of documents compiled and organizational efforts applied, expect the document review to take no longer than 4-5 hours.

4. **Place**

It will take place concurrently with the individual interviews and site observations; therefore, a separate room is needed for this activity.

E. <u>Individual and Group Interviews</u>

1. **Schedule**

Plan to prepare an interview schedule for the team before the visit. This schedule may be a part of the agenda. For each interviewee, this schedule should include:

- ✦ name
- ✦ staff responsibility
- ✦ time of the interview in 15-minute segments.

2. **Personnel**

The following staff (when they exist at the agency) should be scheduled for formal interviews:

- Superintendent/President
- Vocational or Occupational Director
- High School Principals/Deans
- Campus Administrators
- Two Counselors (1 female/1 male)
- Two Vocational Instructors (1 female/1 male)
- Title II Coordinator
- Title VI Coordinator or Affirmative Action Officer
- Title IX Coordinator
- Section 504 Coordinator
- Age Act Coordinator
- Special Education Director

3. **Students**

Team members will randomly select two students, one female and one male, to interview during the tour. The students will be interviewed.

F. Site Observations (The Tour)

1. **Rooms and Centers**

All buildings and centers, especially those where vocational education classes are held, should be available for site observation.

2. **Time**

Depending on the size of the buildings and campus visited, expect the tour to take about 1 1/2 - 3 hours.

G. Team Review

1. **Purpose**

The on-site review team will meet to discuss the results of the review. The local coordinator should schedule a room for this meeting.

2. **Time**

Depending on the findings, expect the team review to take no longer than 45 minutes.

H. Exit Interview

1. **Purpose**

The exit interview will be the final activity of the on-site review. The purpose of this meeting is designed to provide the following:

- ✦ preliminary impressions of on-site findings.
- ✦ timelines for the written report.
- ✦ procedures for contesting decisions.
- ✦ an opportunity to evaluate the on-site review process.

The local coordinator, or another administrator, will again, if necessary, introduce their local staff.

2. **Attendance**

The local administration will select those who attend this meeting. It is recommended that those who attend the entrance interview be present for the exit interview, as well as other staff members interested in the general findings of the review team.

3. **Time**

Depending on the number of questions, expect the exit interview to take no longer than 45-60 minutes.

Please note that the number of days scheduled for each on-site review is based on the assumption that the necessary arrangements and accommodations are made in advance. Failure to do so may result in an extension of the on-site review.

VI. THE ON-SITE AGENDA

The coordinator should make all arrangements for the on-site review before the entrance interview and develop them into an agenda to be forwarded to the Michigan Department of Education. This section provides the coordinator with additional information necessary for developing an agenda for the on-site review as well as some examples. In developing the agenda, be sure to include the following components:

- Agency name and review date
- Documentation review room
- Time, location, and room for:
  - Entrance interview
  - Individual and group interviews (permanent room)
  - Exit interview
- Names and positions of all interviewees
- Tour of facility
- Lunch break (1 hour)

NOTE: A separate room is required for the interviews and the documentation review.

A. Team Members

The number of State team members assigned to conduct the on-site review will depend on the number of sites visited, and the corresponding number of interviews to be completed. However, for all but a few reviews, the coordinator can plan for at least three team members to be present.

B. Length of Review

The coordinator should make all attempts to develop a single-day schedule within the parameters provided. If a two-day visit is anticipated, the local coordinator should consult with Michigan Department of Education staff by August 15 to customize an appropriate agenda.

C. **Sample Agendas**

This manual presents three case scenarios and agendas to help the local coordinator in planning the agenda. The scenarios present sample agendas for agencies with varying levels of complexity, from a single facility to multiple facilities. Remember, however, that each agenda is only an example and not intended to represent the only way of scheduling the review. The local coordinator may find it easier to develop an agenda rather than modifying one of those presented.

Case 1: Single facility agency.

Case 2: Two facility agency.

Case 3: Area Center with three shared-time facilities.

D. **Flexibility**

The local coordinator should always feel free to be flexible in scheduling to meet the agency's needs. For example, if vocational classes are only held in the morning, it makes sense to schedule the tour in the morning to coincide with scheduled classes.

NOTE: The tour must be conducted while vocational classes are in session.

Case 1 - Single Facility Agency

AGENDA for _____ School District

(Date of Review)

9:00 - 9:30	**Entrance Interview**: Room ____, _____ High School
9:30 - 11:45	**Document Review**: Room ____, _____ High School
9:30	**Interview Schedule**: Room ____, _____ High School
9:30	_____, Superintendent
9:45	_____, Principal
10:00	_____, Title II, Title VI, Title IX, Section 504, Age Coordinator*
10:15	_____, Vocational Director
10:30	_____, Director of Special Education
10:30 - 12:00	**Tour of All Facilities**, including

- ✦ Vocational Education Classrooms while in session
- ✦ Career Resource Center
- ✦ Guidance and Counseling Centers
- ✦ Placement Office
- ✦ Special Resource Centers - Sex Equity, Women's or Other Student Services
- ✦ Special Facilities/Equipment - for Disability, Bilingual or Other Special Groups

Two students will be selected for interviewing.

12:00 - 1:00	**Lunch Break**
1:00 - 1:45	**Document Review** (Continues)
1:00	**Interview Schedule**
1:00	_____, Instructors (two: one male and one female)
1:15	_____, Counselors (two counselors: one male and one female)
1:30 - 1:45	**Team Review**
1:45 - 2:15	**Exit Interview**

*If there is more than one coordinator, this is a group interview.

Case 2 - Two Facility Agency

AGENDA for _____ School District

(Date of Review)

8:30 - 9:00 **Entrance Interview**: Room _____, High School A

9:00 - 2:00 **Document Review**: Room _____, High School A
(All documents from A & B should be in School A.)

9:00 **Team I Interview Schedule**: Room _____, High School A

9:00 _____, Superintendent
9:15 _____, Principal
9:30 _____, Title II, Title VI, Title IX, Section 504, Age Coordinator*
9:45 _____, Vocational Director
10:00 _____, Director of Special Education

9:00 - 9:30 Team II Travel to High School B

9:00 **Team II Interview Schedule**: Room _____, High School B

9:30 _____, Principal
9:45 _____, Title II, Title VI, Title IX, Section 504, Age Coordinator*
10:00 _____, Instructors (2)

10:30 - 12:00 **Tour of All Facilities** (High Schools A & B), including

- ✦ Vocational Education Classrooms while in session
- ✦ Career Resource Center
- ✦ Guidance and Counseling Centers
- ✦ Placement Office
- ✦ Special Resource Centers - Sex Equity, Women's or Other Student Services
- ✦ Special Facilities/Equipment - for Disability, Bilingual or Other Special Groups

Two students will be selected for interviewing and interviewed at the same time.

12:00 - 1:00 **Lunch Break**

1:00 **Team I Interview Schedule**: Room ____, High School A

1:00 _____, Instructors (2)
1:15 _____, Counselors (2)

1:00 **Team II Interview Schedule**: Room ____, High School B

1:00 _____, Counselors (2)

1:30 - 2:00 Return Travel to High School A

2:00 - 2:30 **Team Review**

2:30 - 3:15 **Exit Interview**

*If there is more than one coordinator, this is a 15-minute group interview.

Case 3 - Area Center with Three Shared-Time Facilities

AGENDA for _____ Area Center

(Date of Review - Day 1)

8:30 - 9:00 **Entrance Interview**: Room _____, Area Center

9:00 - 10:00 **Document Review**: Room _____, Area Center

9:00 **Team I Interview Schedule**: Room _____, Area Center

9:00 _____, Superintendent
9:15 _____, Principal
9:30 _____, Title II, Title VI, Title IX, Section 504, Age Coordinator*
9:45 _____, Vocational Director
10:00 _____, Director of Special Education

10:00 - 11:45 **Tour of All Facilities** (Area Center), including

- ✦ Vocational Education Classrooms while in session
- ✦ Career Resource Centers
- ✦ Guidance and Counseling Centers
- ✦ Placement Office
- ✦ Special Resource Centers - Sex Equity, Women's or Other Student Services
- ✦ Special Facilities/Equipment - for Disability, Bilingual or Other Special Groups

Two students will be selected for interviewing.

9:00 - 9:30 Team II Travel to Shared Facility 1

9:30 **Team II Interview Schedule**: Room _____, Shared Facility 1

9:30 _____, Principal
9:45 _____, Counselors (2)
10:00 _____, Instructors (2)

10:15-11:45 **Tour of All Facilities** (Shared Facility 1)

Two students will be selected for interviewing.

*If there is more than one coordinator, this is a 15-minute group interview.

11:45 - 12:45 **Lunch Break**

1:00 - 2:30 **Document Review** (Continues)

1:15 **Team I Interview Schedule**

1:30 _____, Instructors (2)
1:45 _____, Counselors (2)

1:00 - 1:15 Team II Travel to Shared Facility 2

1:15 **Team II Interview Schedule**: Room ____, Shared Facility 2

1:15 _____, Principal
1:30 _____, Instructors (2)
1:45 _____, Counselors (2)

2:00 - 3:15 **Tour of All Facilities** (Shared Facility 2)

Two students will be selected for interviewing.

3:00 - 3:30 Return Travel to Area Center

(Date of Review - Day 2)

9:00 **Team I Meet at Shared Facility 3**

9:15 **Team I Interview Schedule**: Room ____, Shared Facility 3

9:15 _____, Principal
9:30 _____, Counselors (2)
9:45 _____, Instructors (2)

9:15 - 10:45 **Team II Tour of All Facilities** (Shared Facility 3), including

Two students will be selected for interviewing.

10:45 - 11:00 **Return Travel to Area Center**

11:00 - 11:30 **Team Review** (Teams I and II will be present.)

11:30 - 12:00 **Exit Interview**

VII. DOCUMENTATION REVIEW

The following materials, documents, and records **are to be compiled and assembled in a central place** prior to the time the entrance interview is held. Please note that the number of days scheduled for each on-site review is based on the assumption that the necessary arrangements and accommodations will be made. Failure to do so may result in an extension of the on-site review.

Assemble, label, and arrange materials, documents, and records in the following order. **Label folders with the title shown on the chart. Duplicate for each exhibit any documentation that meets the requirements of more than one exhibit.** Parentheses indicate the location of exhibits that may include duplicate documentation. (The review requires only one complete set of prepared folders.)

Labels	Document/Records	Done
Exhibit A: Assurances	Copies of assurances filed for Title VI of the Civil Rights Act of 1964 with Michigan Department of Education.	☐
	Copies of assurances filed for Title IX of the Education Amendments of 1972, the Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973 with the U. S. Department of Education.	☐
Exhibit B: Policy Adoption	Board-adopted policy statement of nondiscrimination for Title VI, Title IX, the Age Act, Section 504, and Sexual Harassment.	☐
	Record/minutes of Board meeting during which policies of nondiscrimination and sexual harassment were adopted.	☐
Exhibit C: Specific Employee Designation	Evidence of coordinator designation for Title II, Title IX, the Age Act, and Section 504 (i.e., board minutes, letters of designation).	☐

Labels	Document/Records	Done
Exhibit D: Notice of Nondiscrimination	Documents and publications that contain a notice of nondiscrimination for Title II, Title VI, Title IX, the Age Act, and Section 504. **Required** • student/parent handbooks • employee handbooks • course catalogs • program/employee application forms • recruitment materials for students • recruitment materials for employees **Optional** • newspapers/magazines • newsletters/memoranda • bulletins/postings • other written communications Sample documents that represent continuous publication for the <u>past three (3) years</u>.	 ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐

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Labels	Document/Records	Done
Exhibit E: Public Notification of Vocational Opportunities	Public notification issued prior to the beginning of the school year, including examples of: • local newspapers • agency publications • other media Public notification that informs the general public of program offerings in vocational education and that these opportunities will be offered without discrimination and includes: • a summary of program offerings. • admission criteria. • name/title, address and telephone number of Title IX, Section 504, Age Discrimination Act, and Title II coordinators. • assurance that the lack of English skills will not be a barrier to participation. Example(s) of public notification written in a language or media other than English.	 ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐

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Labels	Document/Records	Done
Exhibit F: Adoption and Publication of Grievance Procedures	Board-adopted grievance procedures for Title II, Title VI, Title IX, the Age Act, and Section 504.	☐
	Record/minutes of Board meeting during which grievance procedures were adopted for each regulation.	☐
	Agency's documents and publications containing grievance procedures for Title II, Title VI, Title IX, the Age Act, and Section 504.	
	• student handbook	☐
	• parent handbook	☐
	• employee handbook or bulletin board announcement	☐
	• course catalog/course offering booklet	☐
	• newspapers/newsletters	☐
	• memoranda/bulletins	☐
	• other _____	☐
	(May be duplicates of those listed for Exhibit D)	
Exhibit G: Self-Evaluation	Include a copy of your completed Title II Self-Evaluation which contains	
	♦ a list of interested persons consulted.	☐
	♦ a description of areas examined and any problems identified.	☐
	♦ a description of any modifications made.	☐
Exhibit H: Transition Plan	Include a copy of your completed Title II Transition Plan which:	
	♦ identifies the physical obstacles.	☐
	♦ describes, in detail, the methods that will be used to make the facilities accessible.	☐
	♦ specifies the schedule and, if longer than one year, identifies steps that will be taken during each year of the transition period.	☐

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Exhibit I: Accessibility	Description or examples of efforts and procedures the local agency uses to:	☐
	• **Identify** qualified persons with disabilities not receiving public education; and,	☐
	• **Notify** persons with disabilities and their parents or guardians of the agency's duty regarding nondiscrimination on the basis of disability.	☐
	Count of students by disability category.	☐
	Description of modifications or adaptations made to course offerings.	☐
	Identify instances when these methods of accessibility were used by your entity to eliminate barriers through	
	✦ Descriptions and dates of instructional program equipment redesign (modifications or additions)	☐
	✦ Schedules of reassignments of aides to beneficiaries	☐
	✦ Schedules of home visits made	☐
	✦ Tables of dates, services, and sites for the delivery of services at alternate accessible sites	☐
	✦ Descriptions of accessible rolling stock or other conveyances used	☐
	✦ Other (specify) _____	☐
	Description of auxiliary or related aids and services provided for students with disabilities in VE programs.	☐

Exhibit I: Accommodation for Persons with Disabilities (continued)	<u>Aural Deliveries</u> Qualified interpreters Note takers Transcription services Written materials Telephone handset amplifiers Assistive listening devices Assistive listening systems Telephones compatible with hearing aids Closed-caption decoders Open- and closed-captioning Telecommunications devices for deaf persons (TDD's) Videotext displays Other effective methods of making aurally-delivered materials available <u>Visual Deliveries</u> Qualified readers Taped texts Audio recordings Brailled materials Large-print materials Other effective methods of making visually-delivered materials available Acquisition or modification of equipment or devices Location and description of any facilities modified to be accessible to individuals with disabilities. Descriptions and dates of <u>alterations to the physical facility</u> to eliminate barriers. (See Transition Plan.) Description of the means used by counselors to communicate with students with hearing impairments. Identification of interpreter or other aids or services used by counselors to communicate with hearing impaired students.	❑ ❑ ❑ ❑ ❑ ❑ ❑ ❑ ❑ ❑ ❑ ❑ ❑ ❑ ❑ ❑ ❑ ❑ ❑ ❑ ❑ ❑

Exhibit I: Accommodation for Persons with Disabilities (continued)	Number of students with disabilities enrolled in regular or special needs vocational education.	❑
	Identification of supplementary aids and services available for students with disabilities to participate in regular or special needs vocational education programs.	❑
	List of vocational education related nonacademic and extracurricular activities or services that have participants with disabilities.	❑
	Description of the procedures taken to ensure that students with disabilities are placed with students without disabilities to the maximum extent appropriate.	❑
	Description of your Section 504 evaluation (IEP) process.	❑
	Documentation of any notices and other safeguard procedures used in relation to students with disabilities.	❑

Exhibit J: Promotional Activities (LEP)	Examples of promotional **literature** designed for national origin minority persons and distributed in their native language. • brochures • pamphlets • bulletins • memoranda	 ❑ ❑ ❑ ❑
	Examples or descriptions of special materials used to recruit students with limited English proficiency. • posters • displays • bulletin boards	 ❑ ❑ ❑
Eligibility of Persons with LEP Skills	**Count** of identified Limited English Proficient (LEP students in Vocational Education.	❑
	Description of acceptable procedures/methods used to **identify** LEP students.	❑
	Description of acceptable procedures/methods used to **assess** the ability of LEP students to participate.	❑
	List of **language-related support services** provided for LEP students.	❑
	Examples or descriptions of other provisions made or steps taken to open all vocational education programs to LEP students, such as: brochures, pamphlets, posters, bulletins, memoranda, displays or bulletin boards, etc., especially designed for students with limited English proficiency.	❑
	<u>Count</u> of LEP students vs. non-LEP students <u>by program</u> (CIP).	❑
	If a concentration of LEP students exists in one or a few programs, demonstrate that such a concentration is not the result of unlawful discrimination.	❑

Labels	Document/Records	Done
Exhibit J: Counseling LEP Students (continued)	Description of the means used by counselors to communicate with national origin minorities of LEP.	❑
	Identification of interpreter or other aids or services used by counselors to communicate with LEP students.	❑
Exhibit K: Recipient Responsibilities (Counseling)	Activities: Description of the vocational education pre-enrollment counseling given students.	☐
	Description of career counseling and program selection activities.	☐
	Description of steps taken to provide students of all races, both sexes, and with disabilities with information concerning programs and career options.	☐
	Description of special supportive services provided by counselors for vocational education students.	☐
	Materials: Examples of information and materials sent to students' homes.	☐
	Examples of materials used for career counseling and program selection, including catalogs, career or job descriptions, etc.	☐

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Labels	Document/Records	Done
Exhibit L: Recruitment Activities	Identification of personnel active in recruitment and counseling activities by race, sex, and disability.	☐
	Description of recruitment activities for students.	☐
	Description of special **services or programs** particularly designed to recruit race/ethnic groups, females/males, or students with disabilities.	☐
	Examples of materials used for recruitment efforts.	
	• brochures	☐
	• posters	☐
	• pamphlets	☐
	• memoranda	☐
	• displays or bulletin boards	☐
	Examples or descriptions of special materials and procedures used to recruit students with disabilities.	☐
Promotional Activities	Description of **promotional efforts** such as career days, parents' night, shop demonstrations, visitations by groups of prospective students and by representatives from business and industry.	☐
	List of any role models or other resources used.	☐

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Labels	Document/Records	Done
Exhibit L: Counseling and Prospects for Success (continued)	Number of students by race/ethnic group, gender, and disability enrolled in a vocational education program offered or referred by the agency.	☐
	Description of any steps taken to ensure that disproportionate enrollments of either sex, minority group, or disability are not the result of unlawful discrimination. **(Check your Agency-Level Review Report.)**	☐
	For each vocational education program, description of: • referral procedures, and • all academic prerequisites (tests, grades, etc.)	☐ ☐
	Description of application process, including criteria for selection.	☐
	Policies regarding vocational education program enrollment quotas.	☐
	Examples of vocational education program: • referral forms • application forms • enrollment forms	☐ ☐ ☐

Exhibit M: Co-op Ed, Job Placement and Apprenticeship Training Responsibilities and Other Work-Site Based Information	Number of students in cooperative vocational education and job placement programs by race/ethnic group, sex, and disability.	☐
	Description of any steps taken to ensure that students are not unlawfully discriminated against in the above programs.	☐
	For application and participation in each program, provide copies or descriptions of all:	
	• policies	☐
	• criteria	☐
	• written procedures	☐
	• application forms	☐
	Examples of contracts/written agreements used by the recipient for referral or assignment of students.	☐
	Examples of written agreements used with labor unions or other sponsors of apprenticeship training programs.	☐
Exhibit N: Comparable Facilities	Location and description of any separate facility provided for the sexes in vocational education such as dressing rooms, showers, etc.	☐
	Description of any modification of common facilities made to accommodate students of different sex in vocational education.	☐

Labels	Document/Records	Done
Exhibit O: Financial Assistance (*applicable to postsecondary institutions only*)	Examples of pamphlets, brochures, newsletters, newspaper articles, posters, bulletins, memoranda, etc. which include notification of opportunities for financial assistance.	☐
	Application form.	☐
	Materials with notification of opportunities for financial assistance written in a language other than English.	☐

Remember: **If you need assistance** while preparing for the on-site review, please feel free to contact a technical assistance advisor at (517) 373-6730.

VIII. ON-SITE REVIEW REPORT

The *On-site Review Report* provides the agency with a complete listing of the review team's findings, including commendations and deficiencies. It contains recommendations for correcting any significant deficiencies.

A. Format

1. Parts

The report leads off with a NOTE of explanation regarding the recommendations which become a part of a compliance plan. The body of the report that follows this NOTE is divided into three major parts: I. PROCEDURAL REQUIREMENTS, II. OCR GUIDELINES, and III. AGENCY-LEVEL REVIEW. These three parts relate to requirements defined in the federal register. Procedural Requirements are derived directly from Title II of the Americans with Disabilities Act of 1990, Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments Act of 1972, Section 504 of the Rehabilitation Act of 1973, and the Age Discrimination Act of 1975. OCR Guidelines pertain to the "Vocational Education Guidelines for Eliminating Discrimination and Denial of Services on the Basis of Race, Color, National Origin, Sex and Disability." Agency-Level Review Findings are derived from the Agency-Level Review Report provided to the agency at the initiation of the civil rights compliance process.

2. Sections

The major parts of the report are presented in sections. Depending on whether items reviewed are found to be noncompliant, each section is divided into two or more parts: compliance items, findings, recommendations and suggestions.

- **Compliance items** reviewed lead off most sections. If the findings show deviations from the requirements, then the items become **items of noncompliance** for the purpose of compliance plan development.
- **Findings** revealed by the review regarding these items immediately follow.
- **Recommendations** to come into compliance follow each finding for noncompliant items. Occasionally, a suggestion will follow a recommendation.
- **Suggestions** usually provide ideas for conducting activities efficiently or effectively to come into compliance.

B. **Report of Findings**

Within 30 days of the Exit Interview, a written report of the on-site review will be sent to the Chief Administrative Officer and the On-Site Coordinator.

The Chief Administrative Officer or designee will be given at least 10 working days to review the report of the on-site review. Within a maximum of 15 working days, the Chief Administrative Officer or designee will be contacted by Michigan Department of Education consultants to discuss the report, and procedures and timelines for submitting a voluntary compliance plan.

C. **Appeals Process**
(taken from Michigan Department of Education Compliance and Complaint Procedures Handbook)

Michigan school districts and other clients of the Michigan Department of Education shall have access to review procedures in regard to decisions and actions taken on grant applications, monitoring visits, and the enforcement of reporting requirements.

The procedures for notification and review shall be as follows:

1. The service area director or his/her representative will determine (a) if a grant application does not meet prescribed program criteria, whether eligibility is denied or what part(s) of the application must be revised to conform to the prescribed program criteria for further consideration of eligibility, (b) if an approved program is in noncompliance, or (c) if reporting requirements have not been met. In a case of noncompliance, the service area director may rescind an approval, give a deferred disapproval, or place the program on a lower funding priority.

2. The service area director or representative will notify each eligible recipient of the Department's action.

   a. In the case of rescinding an approval, the notification shall include the reasons for the action and a statement that disapproval of the program will not preclude its reconsideration or resubmission.

   b. In the case of a deferred disapproval, notification shall include the reasons for the action and the date on which a deferred disapproval will become effective.

   c. In the case of placing a program on a lower funding priority, the notification shall include reasons for the action and how the higher funding priority can be reinstated.

3. Eligible recipients may request a review of a decision within 30 calendar days of notification. Such a request for review shall be submitted to the appropriate service area director in writing and shall state:

   a. the action of the Department which is questioned,

   b. the issues upon which the Department's action is challenged, and

   c. all pertinent facts related thereto.

4. Upon receipt of such a request the appropriate service area director shall prepare a written reply, in duplicate, within 30 calendar days. Such a reply may include a change of position by the Department or an affirmation of its original position, in whole or in part.

5. Within 14 calendar days of receipt of the reply from the Michigan Department of Education, the party denied funds shall indicate whether they wish to continue the request for review to the Department. Such notification shall be sent, in duplicate, to the service area director.

6. Within 14 calendar days of receipt of notice indicating a further review of the decision, a final meeting will be scheduled, at which time there will be a discussion including the challenging party, personnel from the involved service area and an associate superintendent based on the facts previously presented by the involved service area and the challenging party.

7. The associate superintendent will make a decision based on the facts presented. Notification of the decision, with the reasons, will be given in writing to the challenging party by the associate superintendent.

8. If not satisfied, the challenging party may transmit his/her request for review to the superintendent/deputy within 14 calendar days of the associate superintendent's notification of the ruling.

9. The superintendent/deputy may make a ruling, based upon the facts presented, or the superintendent/deputy may convene a review panel of three members.

10. If a review panel is convened, within 14 calendar days of its formation and receipt of materials, the panel shall review the documentation and decisions for the purpose of making one of the following recommendations to the superintendent/deputy:

a. Further review is not warranted based upon the facts presented. This review should end. Original staff decision is supported.

b. Further review is warranted based upon the facts presented. Original staff decision should not be supported.

c. Further review may be unwarranted because there is an alternative solution which can be suggested to the challenging parties. Original staff decision should be modified.

11. The superintendent/deputy shall make a decision regarding the contested decision. All decisions are based on the applicable law and the policies of the State Board of Education.

12. A quarterly report of such decisions shall be presented by the Superintendent of Public Instruction to the State Board of Education.

IX. COMMENT FORM

COORDINATOR'S MANUAL
for Civil Rights Compliance
in Vocational Education Programs

Please use this form if you wish to question or comment upon any portion of the manual. Please indicate the following items for each statement made:

1. Page number.
2. Section number.
3. Question or Comment.
4. Rationale for modifications requested.

Page and Section	Question/Comment	Rationale for Modification Requests

Copy form as needed.